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THE REGISTER

OF THE

PRIVY COUNCIL OF SCOTLAND.

THE REGISTER

OF THE

PRIVY COUNCIL OF SCOTLAND

EDITED AND ABRIDGED BY

JOHN HILL BURTON, LL.D.

HISTORIOGRAPHER ROYAL FOR SCOTLAND.

VOL. I.

A.D. 1545—1569.

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INTRODUCTION.

FROM the reference in the title-page of this volume to the work of abridging, it must not be inferred that any part of the Register of the Privy Council, instructive as to the history of the country, the social condition of its people, the administration of the law, or any other matter of interest, is either omitted or abbreviated. The word was used in order that the volume might not be overloaded by the repetition of statements which, relating to some special class of transactions frequently occurring, have resolved themselves into permanent forms of style. Whatever is new in point of form, as well as of substance, is printed from the Register at length. There might perhaps be objections, on the other side, to the abundance of names of persons and places unknown to fame; but it was considered that in such a work the proper names of all persons and places occurring in the Register should be preserved, to be at the service of genealogical as well as historical investigators, while, if a selection were made of these names, it would be found hard to pronounce, as to any one of them, that it might not possibly be found to afford assistance even on some important point of historical inquiry.

Following on this preliminary assurance, it is proposed to carry this introduction through the following stages :—

1. A brief account, from the ordinary accessible materials, of the steps leading onwards from the earliest reference to a body bearing the title of a National Council, through the various changes leading to the Privy or Secret Council as it existed at the time when the Register begins.

2. Some explanatory notices of peculiar terms and expressions, such as may not be familiar to readers who have not been much

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accustomed to the phraseology of Scottish literature and record in the middle of the sixteenth century.

3. An account of the Register or Record of the Privy Council, and of the method adopted for the purpose of here rendering the matter contained in it in a printed form.

In the early records, providing the material for the first volume and the supplement of the now completed collection of the Scots Acts, it would be difficult to draw a distinct line between Parliaments or meetings of the Estates on the one hand, and Councils or meetings of selected advisers of the monarch on the other. In the reign of King David the Second, when the Records become distinct in rendering the business transacted, the scribes who wrote the Records do not seem to have adjusted a distinction in style for the proceedings of a Parliament and the proceedings of a Council. In both the monarch gives utterance to the Act or resolution as his own, and the presence of Parliament or Council is either announced in the title, or casually referred to in the narrative of the enactment or resolution. In one instance, a difference between the two is distinctly set forth in general terms, while the particular narrative would warrant the conclusion that a Council can do what a Parliament can do, and can undo what a Parliament has done. The King in Council at Edinburgh intimates to the Justiciars, Chamberlains, Sheriffs, Customars, and the Provosts and Bailies of Burghs, that having in a Parliament at Scone revoked all donations made by him, yet it is not his intention to revoke that donation to God, the blessed Mary, St. Thomas the Martyr, and the monastery and monks of Arbroath, viz., the donation in perpetuity to them of the great custom, collected within certain defined bounds.[1]

A frequent duty of the Councils, as of the Parliaments, was the management and disposal of the domains of the Crown, including the lapsing and redisposal of landed estates and feudal rights belonging to subjects; and the items of large or small value ever pouring into the Exchequer in the shape of feudal casualties. We find, however, at a very early period, those functions of municipal and domestic regulation, so frequent in the Register throughout the period recorded in this volume; such as the regulation of

[1] Supplement to the Acts of the Parliament of Scotland, p. 11 b.

weights and measures, shipping, land-travelling, hotel-keeping and the like. Thus in a Concilium held at Perth in the year 1565, it is decreed that at every port attached to a royal burgh, there shall be a Tron for the weighing of wool, duly appointed and maintained by the Chamberlain, along with a Tronarius, who may also with assent of the Council be clerk of the Cocquet, with other arrangements as to the Tronarius, the clerk of the Cocquet, the Customars, and the Comptorum Rotulator.

The Tron and the Cocquet are frequently the matter of regulation by the Council of Queen Mary's reign, and thus we have two centuries of practical light on the meaning of the words, and the use of the things signified by them. The Tron was the great public weighing machine, and it came, in conjunction with the market cross, to form a sort of municipal palladium in each town. It is natural to associate it with a class of weights called "troy" or, as it is found in our Register, "tron," though there seems to be little doubt that "troy" is a modification of the French octroi.[1]

The Cocquet within the period of our Register was the parchment writ with its seal as in England. It was an important part of what we call a "ship's papers;" the official certificate that all customs-duties and Government imposts had been adjusted, and that the vessel was free upon the seas. We find in a question as to the legal capture by a vessel sailing with letters of marque, about which the Council were long perplexed, the plea put in that the vessel seized being destitute of cocquet, might be treated as a pirate's ship. When, at the inauguration of King James the Sixth, all vestiges of living executive power in the name of Queen Mary were cleared away, we shall find that the seals of the Cocquet had, along with the Great and Privy Seals, to be broken up and recut; and that the business was troublesome from the reluctance of those who held them quitting possession at so shifting a crisis, some incidents teaching us that their alarm was not without reason.

1 "On nomme *octrois*, des impositions que les villes lèvent elles-mêmes avec la permission de Roi pour subvenir aux dépenses municipales."—DENISART, Collection, *v.* Octrois. "*Octroy*, concession de quelque grâce ou privilége faite par le prince."—Dict. de TREVOUX. "*Otriare*, concedere, permittere, vel obtinere et impetrare; ex Gallico 'otroier.'"—DUCANGE.

There is some ground for believing that at a period two centuries earlier, as the tron was the weighing instrument, so the cocquet was the measuring instrument, for transactions connected with revenue and commerce.[1]

Having been led off the track in the discussion of coincidences in words connecting the earliest recorded Councils with those of later times, let us resume the attempt to trace the vestiges of the institution of the Council down to the time when our Register begins.

It is in the year 1369, and in the reign of David the Second, that the element of privacy or secrecy is applied to a Council. There were some questions about the King's household along with others of a kind supposed to be unsuited for open discussion in a mixed assemblage, and a committee was appointed for the adjustment of certain specialties and private or secret affairs of the Sovereign and the realm. This was not a Privy or Secret Council in the sense of an institution subservient to a Royal prerogative and independent of the Parliament. It was a Committee to prepare the business for a final vote—with discussion, if need be—of the estates, and it was elected by them with universal consent or acclamation.[2] Hence the qualities of secrecy or privacy refer to the business transacted, but we have two years later the Secret Chamber of the King in his own Secret Council. Terms to this effect are used by a notary public in his docquet, and if they stood alone, uninterpreted by other transactions in the Parliamentary record where they occur, they would be apt to afford a fallacious notion of the constitution and rule of Scotland in the

[1] "Coket, Coketa, mensuræ species, forte ex latino *concha;* nam concha mensura aridorum fuit, uti in hac voce docemus apud Anglos, Fleta, lib. 2, c. 9, § 1, 'Panis de coket de eodem blado et eodem bultello,' etc. Panis vere integer quadrantalis frumenti ponderabit unum coket et dimidium." The Scots concilium or statute referred to in the text is next cited by Ducange, who is much clearer when he defines the later application of the term "eisdem Anglis signum vel sigillum quo præfecti portorio signans merces, pro quibus debitum vectigal exsolutum est."

Nares in his Glossary suggests that the word Coket is derived from "quo quietum." A more satisfactory etymology is suggested by Carpentier's supplement to Ducange: "Coæquator, qui ex officio mensuras et pondera coæquat seu ad archetypum confert."

[2] "Electi . . . per generalem et unanimem consensum et assensum . . . super certis et specialibus et secretis et regni negotiis, antequam veniunt ad notitiam consilii generalis."—Act. Parl. Scot., vol. i. pp. 507-8.

fourteenth century.[1] The occasion, indeed, was one of the most memorable among the assertions of public constitutional power manifested by the Estates in harmony with the Sovereign.

It was the preliminary to the Acts of Parliament settling the crown on the descendants of Elizabeth Mure, the first wife of King Robert the Second. The King and she were to each other within the wide range of "forbidden degrees" established by the Canon Law; they had been married without a Papal dispensation. This were illegitimate by the Canon Law, had that law at the time held such real force, as it held a century later, in Scotland. The Canonists, however, could reason the matter on no other conditions than their own side, and so we had within the present generation a hot quarrel on the question of the legitimacy of the house of Stuart. The question was supposed to have been set at rest in the eighteenth century, when a Papal dispensation for rendering the marriage lawful was discovered. The spirit of inquiry, however, into the absolute science of the canonical laws of marriage and descent had outrun the value of this discovery. If King Robert and Elizabeth could have married each other without a preceding Papal dispensation, and if their marriage had not been solemnised with the necessary ecclesiastical formalities, the Papal bull could have remedied all defects. But they could not marry without a preceding bull of dispensation, and so the error was irretrievable.

That this doctrine was assumed by the Church, though not accepted by the State, was an element of danger to the succession, and hence all available sanctions were sought for its protection. After the matter was discussed in the body called the Secret Council, it was adjusted by the Estates in an Act full of emphatic expression, and finally it was confirmed by something of the nature of a plebiscite of the people assembled around the Stone of Destiny at Scone.[2]

We next hear of a Council to assist the Executive, two years before the beginning of the fifteenth century, when King Robert

[1] "In secreta camera domini Regis—in suo secreto concilio."—Act. Parl. Scot., vol. i. p. 546.

[2] On the words "primo in secreto," etc., referred to as from the notary's docquet, follow "post in camero sui parliamenti in publico ut predicitur coram populi multitudinem hoc approbante factum."—*Ibid.*

the Third "for sickness of his person may nocht travail to govern the realm, na restrain trespassers and rebellers," and with Parliamentary sanction appoints his son, the Duke of Rothesay, so well remembered in his tragic death, to act as the King's lieutenant. In this office he is to be guided by the Estates when they are in session, and by a Council when they are not, "with the Council General, and in the absence of them with the Council of wise men and lele of the quhilks these are the names of eighteen members of the Estates." The Estates bound them very closely to their duty, by enacting that all their proceedings "be put in acts, with the day and place, and the names of those that are councillors in that deid, swa that the Council with him beand, shall answer for his deid, and be punishit thruch the sicht of the Consail General therefore, as the cause requires." [1]

There follow casual statutory references to a select Council. They are of little moment or distinctness until the year 1489, when "anent the article of the electioun and chosing of certain Lords spiritual and temporal to be and remain of our Soverane Lords Secrett Counsale for the ostensioun and furthputting of the Kings autoritie in the administracioun of justice, it is thocht expedient that there be chosen to be of the Kings Secrett Counsale twa Bishops, ane Abbot or a Prior, six barons, with my Lord Chancellor, Maister of Household, Chamberlane of Chamber, Privy Seal, Secretare, Thesaurer, Clerk of Register; and thir are the names of the saids prelates and barons," etc. The names follow, along with those of four Earls, "to be of Counsall quhen they are present or quhen our Sovereign Lord sends for them."

It is further decreed "that for the mair sure supportacioun [and] excelleration of justice, it is advised and seen speedful, that the said Counsale now chosen in this present Parliament be sworne in the Kings presence and his three Estates, to gif his highness trew Counsale in all matters concerning his Majestie and his realme, and shall remain of his Counsel quhill the time of the next; and to be responsable and accusable to the King and his Estates of thair Counsels. And our Sovereign Lord has humilit his highness to promit and grant in Parliament to abide and remain at their

[1] Act. Parl. Scot., vol. i. p. 572-3.

Counsells quhill the next Parliament as said is; and to eschew all circumventions and desates that has been done to the King's highness, by bringing of divers signatures, infeftments, donations, gifts, conducts, remissions, and other such letters, hurtand, or skaithand the King in his casualtie or property." [1] Then follow provisions that all Acts of royal authority, especially those affecting the property and revenues of the Crown, shall pass in the first place through the Council and then be sanctioned by the proper seals. This was part of a continuous struggle, prominent repeatedly in the following Register—a struggle with the object that the Sovereign, who in courtesy and theory was lord of all, should never be permitted to do any act of moment otherwise than under the pressure of the Estates, or of some deputed body representing them.

We are now at the time when Parliament had nearly reached its full development in the co-operation of its three great Committees. The chief and most powerful and important for legislative purposes was that of the Lords of the Articles, who brought the measures moved in the Estates to maturity before they were put to the vote, like Parliamentary Committees at the present day. They afterwards, and especially after the union of the Crowns, became conspicuous in the constitutional history of Scotland. There was the Committee of Lords Auditors for complaints—the "Domini Auditorii ad querelas." They are found elected by unanimous vote in that Act of the year 1369, referred to as the first that gives a characteristic of secrecy to a Council. Then there was the Council itself, sometimes called "The King's Council," sometimes "The Lords of Council."

The Lords Auditors limited their office to the redress of wrongs and the security of rights—to matters of ordinary private litigation. The primary duty of the Lords of the Council was the preservation of domestic peace and the devising and enforcing of other regulations leading to an efficient internal police administration. The Lords of the Council, however, also administered justice by hearing and pronouncing on litigations, and it has always been found difficult to draw a distinct line between the two Committees

[1] Act. Parl. Scot., vol. ii. p. 220.

in their action on Courts of Law. A portion of the proceedings of both were printed by the Record Commission. The portion taken from the Records of the Lords of Council consists entirely of decisions on matters of law in private rights, and it was intended that the Acts of the Lords of Council on matters of public policy should be printed separately by the Commission, preparations having been made to this end by a separate transcript.[1]

Some instances have been taken from this Record to assist in our understanding the significance of some passages in the later Register. There would have been a temptation to decorate these introductory pages more richly from the manuscript journals of the business transacted by the Lords of the Council before the reign of Queen Mary, were it not that the awakened curiosity about the historical riches buried in the Register House, and the successful efforts of the Lord Register to bring them to light, have rendered it next to certain that whatever is matter of historical or social interest in this Record shall be published.

The judicial exertions of these bodies were in some respects inspired by a jealousy of the King's Justiciars and Sheriffs, whom they saw monopolising the administration of justice, and so far promoting the power of the Crown. There was perhaps at the same time something of the sense of rivalry that induced the Exchequer and the King's Bench in England to compete with the Common Pleas—a competition chiefly promoted by the practitioners before each Court drawing business towards it, and the officers of Court becoming accessible and civil to litigants for official fees, which would not drop into their hands if the litigants were driven elsewhere.

Twelve years before our Register begins, the administration of justice in Scotland had been methodised by the creation of the College of Justice and of the Court of Session as the Supreme Court for the administration of justice in civil causes. Whether or not it was framed, as it is usual to say it was, on the model of the Parliament of Paris, the traditions of the old Committees of the

[1] The two printed volumes are (1.) "The Acts of the Lords Auditors of Causes and Complaints, A.D. 1466-1494," folio; (2.) "The Acts of the Lords of Council in Civil Causes, A.D. 1488-1495," folio, both "printed by command of His Majesty King George the Third, in pursuance of an address of the House of Commons of Great Britain, 1839."

Estates for administering justice adhered to it; and in later times, when it was proposed to appeal from the judgments of the Court of Session to Parliament, the suggestion was resisted as an illogicality, since the Court of Session was no other than the branch of the High Court of Parliament told off for the administration of justice.

On the establishment of the Court of Session, the Court of the Lords Auditors ended, but, as will be abundantly exemplified in the Register, as here printed, the Privy Council is found still retaining the judicial powers of the old Lords of Council. It will be seen that, in some instances, the Council find that the affair put before them is not for their adjustment—it must go to a Court of Law and the Court of Session is generally named as the proper tribunal. There is a tone throughout as if the Court of Session were bound by the strict doctrines of the law, while the Council could administer abstract justice by its innate prerogative, and was bound in duty to interpose if the strict rule of law should inflict a wrong. In this there might be supposed to lurk some analogy with the Chancellor's Court in England coming to the relief of justice when to administer it through the courts of common law was found impossible. But there never was in Scotland any such gulf fixed as that between the common law, as the constitutional protector of a people's liberties from the Prerogative on the one hand, and, on the other, Chancery letting in the subtle and pliable procedure of the civil law to abate or obviate the mischief that would be done. The civil law as it was to be gathered in the Pandects and the Institute, and the feudal law, as it had arisen in practice with the light thrown on it by the Consuetudines feudorum, were the two great guides to the administration of the law, whether by the King's judges or the Estates of Parliament.

The Privy Council assumes throughout, if not a right of instruction or command over the Court of Session, yet a position of relative superiority. The litigant complaining to the Council is told to go to the Court of Session, and sometimes this direction carries a tone as of charging the Court of Session with the duty of settling the question. A more emphatic tone still was adopted on the critical occasion of Queen Mary's deposition. The Estates were not then in session. They rose in the month of April, but the crisis when a

stand was made against the armed power of Bothwell came in June. The assembling of the Estates was a matter of pomp and ceremony and not to be rapidly accomplished, but the Council governed in the intervals, and there was much flexibility in its powers and method of procedure, taking assistance from, and sharing responsibility with, any of the great potentates of the country whose co-operation was desirable. The proclamation on the occasion announces those uttering it as "we of the nobility and Council." And the instructions to the courts of law are issued in a tone of absolute command, "We command and charge the Lords of Session commissaries and others ministers of justice, to sit, proceed, and minister justice according to the laws of this realm, notwithstanding any tumult or bruit whilk may arise in the mean time of this enterprise," threatening all who oppose the orders of the proclamation with responsibility as accessories to all the crimes that had been committed from the murder of the Queen's husband downwards.[1]

The Acts of the Council contained in this volume afford abundant and instructive information on a matter that has often in recent times been before the world—the Registration system of Scotland, and in especial its influence in establishing and guarding a uniform and secure system of landed tenure. It is a debated question, whether in Britain the "Record" is an institution of Anglo-Saxon or of Norman origin. What is palpable as a great fact in history is that it is an institution of modern Europe, arising out of the conditions that created the feudal system, and that, potent as it became with the growth of the modern European States, the mighty organisation of the Roman Empire existed and worked without it. The spirit of the system was, that as to all important transactions, from the resolutions of legislative bodies operative as laws over a whole community, down to rights of property and successorship, and to private contracts between man and man, there should be some record preserved so as to be impartial and unquestionably accurate.

These qualities could not be secured unless the Records were under the control and management of the supreme authority, and

[1] Page 520.

consequently in constitutional States, where representative institutions had grown, the National Registers were in the hands of the national governing institutions, and the keeping of registers was mixed up with the functions of governing and legislating.

On this, as in so many other points, suggestions seem to have been taken from the practice of France, but to have received a thoroughly national tone in their practical application. The inregisterment by Parliaments was there a great institution,—even the centre of many political contests. The inregisterment of a royal edict by such a body as the Parliament of Paris was more than the mere preservation of the terms of the edict in a book, where it could be seen by those entitled to have access to it. The edict was at least revealed to the body intrusted with its preservation, if indeed they were not consulted on its contents, and in some measure responsible for them. Here was planted a fruitful source of dispute, for, if the Parliament became powerful it could demand a deliberative voice in the substance of the documents to be enrolled in its archives; and, on the other hand, if the power of the Crown waxed strong and arbitrary, the august members of the Parliament might be counted a mere body of servile clerks, the keepers of the Records of the Court, bound to enter in them whatsoever the supreme will might dictate.

On the question, whether the Council were the servants of the Crown, registering its writs, or were on the other hand the supreme ruling executive power, with the Sovereign as their head, a comparison between the minutes of Queen Mary's reign, and those of her father, might afford some curious instruction on the growth of the law and the constitution. In Queen Mary's reign we see not only the respectful, but in externals, the potential use of the name of the Sovereign, when we know that she was unwillingly bending to the necessity of the situation, and sanctioning what she not only disapproved but detested. We find her father sometimes dictatorial, as if the Council were the mere registrars of the Royal will, but on other occasions he comes to them almost as a suppliant and requests their powerful aid in carrying his point. Thus:—

"In presence of the Lords of Counsell, compered William Elect of Aberdeen, Thesaurer to our Soverain Lord, and produced

his Highness' writings, under his subscription, and desyret the same to be insert in the Bukes of Counsell, and the Lords to interpose their authority thereto. The whilk desire the said Lords thought reasonable, and therefore has ordained the samin to be insert in the Bukes of Counsel, and hes interponit their authority thereto. Of the quhilk the tenor follows :—Chancellor, and Lords of our Counsell, we greit you heartly wele. And forasmekle as we have gevin speciall command and charge till our Thesaurer and Comptrollar to cause be cunyet and prented ane croun of gold of xx caractes fyne, as our order and command made to them thereupon purports at mair length." And then at length follow the reasons, in the disappearance of a gold currency from the country. The King is the master of the Treasurer and Controller, and gives his orders to them, but in going to the Lords of Council, in whatever shape we may count that he seeks them, it is not in that of the master who commands them to do their office.

It is always held that the College of Justice and the Court of Session were created on the model of the Parliament of Paris. But the nation was taking a course of its own too strong to be influenced by such analogies. In Scotland the Estates were, with the Sovereign at their head, still supreme, while France was steadily drifting into an autocratic despotism. The Register printed in this volume brings us to the dawn of English influences, but the system of registration, like other national institutions, was too deeply rooted to be swayed by the new political element. In fact the system of registration in its power and its solidity was such an achievement as the mixed constitution of England, setting prerogative against privilege, had failed in attaining. It grew in peace under the sheltering influence of the Estates, where there was ever a supreme power sufficiently strong to transact the national business without interference or interruption.

The power of the Registration system was in its absolute centralisation. A vigilant watch was kept over all separate or independent Registers, and they were either absorbed in the central system or connected with it as sub-departments. The Notaries Apostolic, taking their authority from the Vatican, made themselves useful as scribes, in the drawing of wills and other documents affecting pro-

perty and keeping Registers of what they drew. Notaries of other designations spread over Europe, keeping either in collective communities or separately, many records of private transactions about property and personal obligations. In Scotland in the reign of King James VI. it was enacted that after the death of each notary his "protocol book" or record of transactions should be transmitted to the Clerk Register in Edinburgh within fifteen days after the notary's death.[1]

The supreme head of the Registration system whose title became afterwards "Lord Clerk Register" had been a firmly established institution long before the passing of this Act. He often appears in the sittings of the Privy Council, recorded in this volume, as "Clericus Registri." As custodier of the Records of the Estates he was for Scotland what the Clerks of the Parliaments were to England. The Master of the Rolls there represented, in some respects, his functions as Custodier of the Records of the Courts of Justice; but his control over all minor local records of property and transactions was an organisation for the accomplishment of security and simplicity not obtainable under the powerful but conflicting machinery of the English constitution.

In his charge of the Register of the Council, he was responsible not merely for the due drafting and preserving of State transactions, but for the adjustment and preservation of private titles—of adjustments of personal rights and obligations. It was not merely that the Council claimed, as we have seen in some matters, the powers of a supreme Court of Justice, and that its decrees finally settled questions in dispute between man and man. The Council received into its archives documents for registration, and this registration was of two kinds; for "preservation" merely, or for "preservation and execution."

This latter definition brings us to a remarkable and peculiar national arrangement for the transaction of some classes of business. A contract or bargain is made between two parties. It may be about a loan on the security of property, or the tenure of that property itself, or any other transaction of peaceful life. But it may also be an engagement between the heads of two hostile

[1] 1587, c. 89, Act. Parl. Scot., vol. iii. p. 449.

Border or Highland clans, that they shall keep the peace towards each other for some limited period, and abstain from mutual outrage and bloodshed. This "registration for execution" is still a matter of daily practice in Scotland. The theory of the service performed by it is, that recorded in the books of the tribunal, the transaction is adopted by the tribunal as if it were a decree uttered by itself in a litigation. The presentation for registration is an application to the Court to look at the obligations incurred by the contracting parties, note whether they are just and reasonable obligations, and if they are found to be so, then to decree accordingly, so that the obligations put in record shall be in the same position as if the matter had been litigated between the parties, and the Court had come to a decision in the absolute terms of the document given in.

The advantage derived from this was that if one of the parties failed to perform his part in the obligation, the other need not go to law for its enforcement. He had only to put an extract from the Register of the Court into the hands of an executive officer of the law, who enforced it as he would enforce a decree of the Court following on a litigation. Of course there was possible redress against injustice in the enforcement, as there may be redress against what professes to be a decree of a Court. The Court may have exceeded its jurisdiction. There may have been an error in the record of the Court. There may be a mistake as to the identity of the person whom the executive officer is going to imprison, or to distrain, for failure to comply with the decision of the Court. This would open in Scotland a case for an action of reduction. But that would not open up the merits of the conditions which justified the Court in its judgment. The holder of the decree would be absolute master of the situation. And so the person who had in his possession an extract of a clause of registration in the books of a supreme Court.

We find that, on the face of the Register at least, there was a full deliberative examination and adoption by the Lords of the Council of the engagement tendered to them, that it might be registered in their books for execution against the parties adhering to it, as if it were a decree. The terms are known to those assem-

bled in Council, and are found to be "reasonable." However far there may have been originally a presentation in open Council, and an opportunity for a full examination of the documents to be recorded, the system came to be one of official routine. Certain conditions being required for the enrolment for registration for execution in the books of Council and Session, the recording came to be negotiated in the office of a responsible Clerk of the Court, having not the less the force of a decree. It is remarkable that this arrangement was found so effective, and at the same time so free of liability to abuse, that it was extended in a form that might seem perilous, did we not know that it too has continued in practice free of serious censure. The person who puts his signature as the party liable for payment of a bill or promissory note in proper shape, was placed by law in the position of one who had agreed to a clause of registration of the obligations on the face of the document. This arrangement has been found to communicate great flexibility to the negotiation of bills and notes in Scotland.

The oldest instance of registration for execution known to the Editor belongs to the year 1517. It is a very well drawn specimen of such a transaction. Being between the Governor on the one hand, and two Highland Potentates, the Earl of Argyle and Maclane of Dowart, on the other side, it may be considered as a state-paper of diplomatic character. Maclane makes faith, the holy evangiles touched, that he shall be lele and true to the King's Grace, my Lord Governor, and the realm, and cause holy kirk to be answered and obeyed within his bounds, and assist, supply, and help the Earl of Argyle, Lieutenant of the Isles, for their governance and good rule, keeping peace and rest and administering justice to the King's lieges at his possible power.[1]

1 "In presens of the Lordis of Counsale comperit Maister James Wischart, advocate to our Soverane Lord, and in name of my Lord Governour on the ta part, and the Erle of Ergile and Lauchlane Maclane of Dowart on the tother part, and give in thir appointments, contractis, and writingis, and direct the same to be insert in the bukis of Counsale, and to haff the strenth of the ordinance and decrete; of quhilk desire the Lords thot reasonable, and therefore ordainit the samin to be put in form of decreit and to haif the strenth thereof in tyme to cum. And that letters be written to command and charge, compell, and destrenye baith the saids perteis to fulfil the samyn in all and every point contenit thereintill as efferis. The quhilk writing appunctamentis and contrac subscribit be the hand of the said Erle and Lauchlane is insert and seryit in this buke of Actis and decretis."—MS. Record.

One of the topics of most frequent occurrence in the portion of of the Register printed in this volume is the "charge of horning." How warrants are given on the charge; how people are "relaxed from horning;" how others remain obstinately at "the horn," or "the Queen's horn," and how the fact of their so remaining and not getting themselves "relaxed" is in itself a passive crime, ever treated even in formal documents with indignant severity. Horning is not an obsolete institution. It is still in active observance throughout Scotland. We meet it towards the end of the Register in pursuit of Archbishop Hamilton and Bothwell, but it still has its terrors for the trader on the verge of bankruptcy, and for still humbler strugglers with pecuniary difficulties. The centre whence horning issues is still a busy department close to the spot where the records that it was busy more than four hundred years ago repose. In the intricate passages of the General Register House there are intimations how to find the "Horning Office." Yet though thus in active operation, and thoroughly known to all Scots practitioners of the law, its nature may not be so thoroughly known to every one who interests himself in the materials of the history of Mary Queen of Scots.

It may happen that to some of these it may be no enlightenment to inform them that "horning" is a form of "diligence," and that it is especially apt to accompany "summary diligence." On this term itself then, as being a whole of which the other is a part, a few explanatory words may be desirable. The word "diligence" used in a general sense applies to every form for the enforcement of the law on the person or the effects of a defaulter. It is generally applied to the enforcement under the civil law as apart from the criminal, but this is mere matter of usage, and we shall see that in what concerns us here, these two branches of the law are inextricably mingled. It will not be easy to find any history of the word "diligence" explaining on satisfactory etymological grounds how it came into practical use. It does not appear to be very old in the law. In the copious index that makes all the recesses of the old laws of Scotland so immediately accessible to the searcher, it is carried no further back than the year 1672, when it is enacted that "there shall only be two

diligences against witnesses—one by horning, and another by caption." Contemporary with this enactment, as published within nine years after its date, is an attempt at a definition of the term, and though its author is the illustrious Lord Stair, the greatest institutional writer on Scots Law, it does not satisfy. It begins with one of the generalities to which the older Scots lawyers were addicted: "Acts of litiscontestation would have no effect if law had not prescribed the way to make them effectual, by the authority and warrant of Judges competent." Then we have remarks on "executorials" and "compulsators" followed by, "and they are called diligences, because they excuse the users thereof from negligence, whereby posterior diligences being exactly followed, are preferable to prior diligences being neglected *vigilantibus non dormientibus jura subserviunt*, which is founded upon that great interest to hasten pleas to an end. They are also called diligences because though the effect do not follow, yet the user thereof hath endeavoured what he could, and so is held as in the same case as if he had obtained the command of the precept."[1]

If we must be content to leave the origin of the more general term unexplained, we may find compensation in the curious history of the kind of diligence called "horning." It was accomplished by certain blasts—the canonical number came to be three—of a horn or trumpet. These blasts denounce some one, whose name is in the writ authorising the blasts, as a rebel to his sovereign. In the earlier uses of the form we are brought to the gathering of the King's host to suppress a rebellion—or what the King of Scots counts as a rebellion—and the blasts are the announcement to the country of a civil war. Thus the oldest reference to the horning in the Statute Book is in the preparations for the suppression of Donald of the Isles at the battle of Harlaw. A portion of this Highland community had come under the authority of a branch of the house of Stewart. They were first ruled by Alexander the brother of King Robert, who for the burning of Elgin Cathedral, and other feats of a like nature, went by the name of the Wolf of Badenoch. His Highland following fell to his illegitimate son, who would naturally be less readily

[1] Institutions of the Law of Scotland, B. iv. Tit. 41, sec. 1.

tolerated in such courses. At the time of the statute referred to he had been the victor in what was called "the Battle of Garclune." It was a small affair, but it was ominous as the first instance where the Lowlanders felt the nature of Highland warfare—the casting of the whole issue on the success of one impetuous rush. It was successful at Garclune, as it afterwards became at Killiecrankie and Prestonpans. Donald of the Isles was collecting a force mighty in numbers, and perhaps it was the defeat in the smaller affair that roused the gentry of the north to a resistance that, proving effective at Harlaw, saved them and their country from subjugation to a community on whom they looked with peculiar horror.

In the statute referred to, the King announces the determination of the Estates, in consideration of the slaughters and other outrages committed by the Highlanders, to put certain of their leaders to the horn, and he addresses the Sheriff and Bailies of Aberdeen to give effect to the determination.[1]

Somewhat later the diligence of horning comes into great activity in the contest with the Douglases. In the present Register it is employed on the Borderers and the Highlanders; but also sometimes appears in its humbler and milder aspect in the enforcement of some civil obligation, such as a debt.

In the reign of James v. persons "at the horn" are curiously conjoined with other offensive beings "where either thief, foreigner, a man at the King's horn, or wolf, comes in any parish or town—that the neighbours of the said town or parish shall incontinent give the cry and take the said trespasser or flee [compel to flee] the said wolf. And if the said trespasser be of more power than the persons of the place where they come in, that after the said cry be made as said is, that the whole parish and country about-lying

[1] "Robertus Dei gratia Rex Scottorum, Vicecomiti et Ballivis suis de Aberden, salutem: Sciates quod ex deliberatione quam plurium proborum et fidelium de tribus Statibus Regni nostri, etc. Vobis igitur districte precipiendo mandamus, quatenus omnes et singulos subscriptos, et eorum complices sequaces et adherentes, quos nos ex dicta deliberatione concilio et decreto poni fecimus ad cornu Regis et ad cornu fore judicari et publice proclamari decreverimus, etc. Vos in principali Burgo Vicecomitatus vestræ, indilate visis presentibus, auctoritate nostra ad cornu regis ponatis, et ad cornu esse positos et adjudicatos publice denunciari faciatis: viz. Duncanum Stewart," etc.—Act. Parl. Scot., vol. i. p. 579.

follow upon the said trespasser or wolf and take them or flee them; and who fails and comes not to the said cry, in supply of his neighbours and the country, that the Lord or Bailie that has that place in governance take of the said person failing as said is, at the first time a wedder, the second time a cow, the third time his person, to be taken and brought to the Sheriff, and punished as the trespasser should have been punished himself."[1]

There is a characteristic instance of its use in its higher or more threatening form, in what, of date the 21st of December 1564, is called on the margin of the Register an "Admonition to the Laird of Johnston." He commanded one of the fiercest clans of Border depredators—a terror both to the English and the Scottish side. "Being called in presence of the Lords of Secret Council, it was declared to him how he, by himself and his two sons, upon very wilfulness remained at the horne, rydan plainly in the country with jacks and spears, boastan the true men how he maintained Gebbie Johnston of Powden fugitive frae the laws for stealing and fire-raising. . . . How he holds thieves dwellan on his lands and uses the counsel of the maist common thieves and broken men in the country, suffers reset passage and entertainment of thieves to be within three or four miles to his house without fray or stop made to them. . . . The answers and excuses of the said John being heard, and the said Lords avisit therewith, they, in the Queen's Majesty's name and authority, straitly commanded and charged the said John Johnston personally present, that he without delay obey the laws, satisfy all parties offended unto by him and his sons, and get him and them relaxit frae the horne."[2]

Everything at the present day that represents the formidable charge of horning is of course put in writing, so that there is some interest in the following account of a relaxing. The person put to the horn is called Maister Lachlan Maclane, and his case is a remnant, in the year 1567, of the intrigues, when the old Church was falling to pieces, to acquire titles to its dignities and benefices, with the view of realising something out of them. He succeeded in clearing himself, "and made faith that he never obtained license of our Sovereign Lady to pass to Rome for purchasing and impe-

[1] Minute of the Lords of Council at Inverness, 5th February 1497-8.—MS. [2] Page 306.

tratioun of the Bishopric of the Isles, nor na other benefices pertaining to Maister John Carseuell Bishop of the Isles, nor never purchased the said Bishopric, or the Abbacy of Icolmkille or other benefices in any time bygone." Having satisfied the Council on the point, the end is that "the Queen's Majesty, with advice of the Lords of her Secret Council, suspends simpliciter the letters purchased at the Advocate's instance against the said Master Lauchlan Maclane denouncing him rebel and putting him to the horne. . . . And ordains ane Macer or other officer of arms to relax the said Maister Lauchlane frae the process of horning led upon him in the said matter; and to give him the wand of peace, and that letters be direct hereupon in due form as effeirs."[1]

We have an application of the horning more akin to later practice, though still applied to a large public question of the day in an order concerning the troublesome question of the "thirds of benefices, be reason of the great disobedience of money and divers that passes to the horne for non payment of the saids thirds." The method of procedure in this instance is set forth with unusual distinctness. "Her Highness and Council foresaid has ordainit, concludit and determinit, that for non payment of the thirds of benefices, common kirks, friars lands or other rents of the collectory, that the collectors and receivers of the rents or executors of the letters, immediately after the denunciation, deliver a copy of the letters and executions to the Sheriff of the shire or his Deputes and take documents thereupon, and send the said document togedder with ane attentick copy of the said letters and executions subscrivit with his hand to the said comptroller, or Alexander Durham Argentier foresaid, and that the Sheriff of the shyre, incontinent after his receipt of the said letters and copies, escheit and bring in the haill goods and geir of the persons denouncit, and mak payment first of the debt wherefor they were denouncit to the said comptroller, his receivers and collectors, or Alexander Durham

[1] The verb "purchase," as frequently used in the Register, does not of necessity infer the buying of anything with a sum of money. It is used in the old French sense of obtaining anything desirable. "*Pourchasser.* Terme de chasse, etc. On le dit aussi au figuré; pour dire—poursuivre quelque advantage ou profit, avec instance, avec soin, avec assiduité; solliciter quelqu'un pour obtenir de lui quelque grâce."—Dict. de Trevoux.

and remanent to the Thesaurer; and likewise seek the persons denounced, and bring them to the Queen's Majesty and her Secret Council to be punished for their disobedience within twenty-one days after delivering of the saids copies and signification of the horning foresaid, under the pain of tinsel of their offices; and that letters be direct hereupon in due form as effeirs."[1]

The horning is now in use for the enforcement of purely civil obligations, and especially for the extraction of payment of debts from difficult creditors. Every one, on the slightest hint, can recall from Scott's novel of the Antiquary the passage where Monkbarns favours his Highland nephew with a disquisition on the point, showing that there is no imprisonment for debt in Scotland. The obstinate debtor is ordered, in the Sovereign's name, to pay what he is due to his creditor, and if he continue obstinate, in disobedience to the Sovereign's order, then is he denounced for that act of rebellion, and imprisoned as a rebel. It was the fortune of this exposition of the law, to be cited from the bench of the Court of Session by one of the ablest practical lawyers who ever sat there—Adam Gillies. "There were two things," he said, "in the law of Scotland in regard to diligence, which distinguished it from that of other countries. In the first place, it was the policy of our law to allow the property of a debtor to be easily attached and secured; but, secondly, and on the other hand, it was extremely jealous of any invasion of the *person* or any encroachment upon the liberty of the subject. There are accordingly numerous and different modes of securing or attaching property, such as arrestment, inhibition, poinding, and adjudication; but with regard to the person, the principle is, that it cannot be laid hold of for debt. Before this can be done, the debtor must be declared a rebel, and it is only as a rebel that he can be imprisoned. The law on this subject cannot be better expressed than it is by Monkbarns in a work of fiction, with which we are all well acquainted."[2] Thus the hapless debtor skulking from his creditor and the executive officers of the law, was put, by the theory and nomenclature of the law, into the same category as

[1] Page 496.

[2] Lord Gillies, in Thom *v.* Black, 10th December 1828, Shaw and Dunlop's Reports.

the mutinous vassal who gathers his followers and declares war against his sovereign. Conditions so antagonistic were apt to leave a wide middle region where duplicity might shake hands with violence. A minute of the old Lords of Council, dated 15th October 1533, sets forth that at the instance of the Parson of Kirkmichael, some twenty or thirty of his parishioners were put to the horn "for non payment to him of the teinds fruits and duties of the said Kirk," and "the said persons so being at the horn remains at hame in their awn houses and at the Parish Kirk reparand, usand, and rydand to all fares, markets, and others places within the realm when they pleise, as uthers our lieges, having no regard to oure Sovereign Lord or his authority." Then when it came to distraining the effects of the defaulter as escheated to the Crown on account of rebellion, the Lairds of Kirkmichael and Closeburn appeared at the head of four or five hundred followers, and deforced the officers.[1]

In this document there is another and rarer use of the expression "being at the horn"—a use disappearing with the progress of the Reformation. By analogy, a person under cursing or excommunication was said to be at "God's horn." The use of the term has been cited from the "Gude and Godly Ballads" as an example of their ribaldry :—

> "For ye were all at Gods horne,
> This babe to you that now is borne
> Sall make you saif, and for you die,
> And you restore to libertie."

The persons condemned in this minute are formally described as having been "at Goddis horne and the Kingis thir five or six years last bipast, and as yit takis na care thairof, bot contempnis the auctoritie of Haly Kirk, in great danger of their awin saulis, and als oure Souerane Lordis auctoritie, as ther were na justice to be had in this realme; and gif this remains unpunisst, it may grow to grete inconvenientis and abusioun."[2]

This fiction of law—for that is certainly its nature—is exceptional to the law of Scotland. That law generally goes right to its point, undisturbed by the misgivings which have filled English

[1] MS. Record. [2] *Ibid.*

common law with so many untruths known to everybody to be untrue, and equally well known to import very serious truths that are not expressed.

"Poinding" is a form of diligence or execution likely to have an unusual sound to people beyond the region of Scottish legal practice. It is a variation of the English word "empounding," and imports the restraining, attaching, or seizing ordinary movable property, as furniture and tools.

The "letters of four forms," occasionally mentioned, are a method of "diligence not so easily explained. When the Queen appears as a solicitor to the Council to make a proper provision for the ministers of the congregation, the Council, as a means for effecting the desired end, require the Lords of Council and Session to grant letters in the four forms with inhibition."[1] The number four has been paralleled to the *alias*, *pluries*, and *exegi facias* of the English outlawry, and it has been said that both have grown out of the forms of the ecclesiastical process called in England excommunication, and in Scotland by the more expressive name of "cursing."[2] The "inhibition" is a writ known at the present day. It expresses its meaning as an injunction by competent authority, that a thing threatened to be done shall not be done, or that if done, certain penalties are incurred by the doer.

It was among the fastidious professions of the law for the protection of the liberty and property of the subject, that all "diligence" must follow upon personal notice or warning to him against whom it is to operate. Yet there were few European communities where, by the combined influence of political and physical conditions, it was so difficult to get access to those who chose not to be approached. If the law were to be observed, it

[1] Page 495.

[2] "The Sheriff in England returns that he has sought the party four several times; and as he did not appear in Court, therefore that he had been outlawed according to the law of the kingdom of England. The writs of outlawry therefore answer precisely to our letters of four forms, and the return of the Sheriff agrees with the four executions of the messenger, who in Scotland is the 'Sheriff in that part.' Both of these forms are originally derived from the writ of excommunication, which, anterior to the final sentence, contained four requisitions." Whoever reads much of the text will become familiar with the expression, "Sheriffs in that part." See "Lectures on the History and Practice of the Law of Scotland relative to Conveyance and Legal Diligence, by Walter Ross, Esq., Writer to the Signet," vol. i. p. 266.

was necessary to find some equivalent for the personal interview between the emissary of the law and the person who was to be assailed by it. The writ might be left on the premises, or handed to a dependant, or nailed on the dwelling-house door. But these would be but feeble mitigations of the difficulty, and the system of "judicial citation" was adopted. It used to be effected by a "horning," or blowing of a trumpet at the market cross of Edinburgh and the pier and shore of Leith, but is now managed through the organisation of the Register House. In the Register of the Council there is what appears to be an experiment in "judicial citation." It occurs at the time when Murray and his party were in imminent peril, and the Queen, with her husband Darnley, dreamed of his ruin and their own freedom from his intolerable control. On the 1st of December 1565 the question comes up in the Council, and Murray and his supporters are to be cited to appear before the Estates "to hear them decerned to have incurred the crime of lese-majesty, and to have tynt and forfeited life, lands, and goods, for certain crimes of treason and lese-majesty." Then it was found that "because there were divers of the said persons outwith the realm, and havand no certain dwelling place—others to wha's dwelling places and presence there is na sure passage—it behoved them to be summoned by open proclamation at the market cross of Edinburgh and other crosses next adjacent, according to the common law; and thereupon desired a declaration and determination of their Majesties and Lords foresaid. The whilk being reasoned with good deliberation and advisement, their Majesties and Lordships finds and declares that the saids persons being summoned in manner above specified, the execution is as sufficient in all respects as if the same summons were execute upon them personally or at their dwelling places."[1] The citation at market crosses being spoken of as "according to common law," we may count that a method of edictal citation had crept in, being practised on the inferior elements that are proverbially the appropriate subjects of experiment. But in applying the process in a contest where victory was not secure to the Crown, it was well to have the form sanctioned by the highest accessible authority.

[1] Page 409.

A term, the meaning of which, as expressive of an official transaction, may not be immediately obvious to people that have had no occasion to know about the technicalities of the Scots law, is the "asking instruments," or "taking instruments." It is a protest desiring attention to something done or said, and warning all concerned that they have no right to plead ignorance or forgetfulness in the matter. When words of scorn or contumely were passing in places sacred from violence, it was usual to "take instruments" in token of how well they were stored in the memory for after occasion. Thus the Record of the Lords of the Council for 5th June 1515 bear how "John the Elect of the Isles," or the uncollated bishop of that diocese, calls the Chancellor "a Wolf Judge," and that high officer retaliates with the statement that John's mother had been hanged, "instruments" being taken on each side.[1] In the meetings of the Lords of Council in the reign of James v. there were hot contests about ecclesiastics going to Rome for collation to benefices, and bringing the will of the court of Rome into collision with the Sovereign and Estates in a contest for the investiture in the temporalities. The term "taking note" is used in some of these disputes, apparently in the same sense as that of "taking instrument."

The taking of instruments when the formality is fulfilled is an act attested by a notary public, certified by a docquet, and entered in his protocol book. Such a taking of instruments, in a very solemn shape and on a very solemn occasion, is mentioned elsewhere,—the occasion being the settlement of the Crown on the the descendants of King Robert II. by his first wife, Elizabeth Mure. The term "instruments" does not explain its own origin. The most frequent use of the word in the feudal practice of Scotland is in the instrument of sasine, which constitutes the real and final investiture in land, and down to very recent times was recorded by an "instrument" on the land itself, certified by a notary public. It is possible that the term instrument may have been first applied to the symbols of feudal investiture. As the elementary law books universally inform us, the symbols of investment are—for land, earth and stone; for an annualrent or annuity secured on

[1] MS. Record.

land, earth and stone with a penny money; fishing, net and coble; mills, clap and happer; houses within burgh, hasp and staple; of ecclesiastical patronage, a psalm-book and the keys of the church.

The several minutes relating to the coinage are not only useful as a record of the creation and circulation of the metallic currency of their respective periods, but are significant in their relation to the politics of the period, and the science of a circulating medium. The many denunciatory enactments, ever repeated because they are ever ineffective, are a contribution to the evidence that, however far the State may be able to adjust a debased currency for service in small purchases of goods, to make a debased currency a standard of exchange is impossible. The policy of Queen Mary's government, so long as it leaned to the old French alliance, endeavoured to enforce French currency as a legal tender, and to discourage the currency of England. English money was acquiring a reputation of purity from the stream of commerce that brought from the Hanse towns and the Low Countries the silver called Esterlings, as coming from the East—a term well known in its later shape of sterling. By a minute passed in the summer of 1566, it appears to have created great alarm and indignation that some of the money from the east had found its way directly to Aberdeen. Its currency there is denounced as treason, and the persons guilty of the offence are to be put on trial for their lives; but we may well believe that the cause assigned for this severity, that the coins in question were "false, feigned, and corrupt," except in the sense that they were not of national mintage, was thoroughly false.[1] In other instances the descriptive denunciations of English coins point to well-known peculiarities in all portraits and effigies of Henry the Eighth when they are called "the groat with the broad face," and "the groat with the bag cheek."[2]

[1] Page 468.

[2] An order of the Council, relating to the disposal of certain coining apparatus, dated 6th January 1562 (p. 227) was on its first examination a source of perplexity. The apparatus called pile and tursall, the one being the under and the other the upper matrix for stamping a coin, are ordered, in presence of the Lords of the Council, to the Warden of the Mint, to be kept by him "unused and printed with in time coming." The inference from such an instruction is, that preparation being made to stamp and issue a coin as money of the realm was suppressed, and the motive for suppression appeared to be the treasonable nature of certain legends that would appear on the coin, viz., "Nemo potest duobus dominis servire" and "Un dieu, un loy, un foy, un roy." Further, twisted into each other after

Among the national and local peculiarities receiving new light from the Register are the rights of "the kindly Tenants," under the social arrangement "of kindlyness," spoken of sometimes as a law, and on one occasion as administered by a "Court of Kindlyness." The information on this institution here to be found will be almost as much a novelty to Scotsmen well acquainted with our chief national institutions as to strangers. It is perhaps on the whole not to be regretted that the information so disclosed was not current at an earlier time, as it might have opened up questions about consuetudinary rights which have fortunately been buried and forgotten, leaving a system of land-rights by registration unaffected by troublesome and dubious consuetudinary practices.

It was on the Borders that "kindly tenancy" chiefly prevailed, and there its natural soil was. The inhabitants held their own directly by the sword against the encroaching influence of the powerful neighbour. In looking at the position held by these Scots borderers through the revelations of the Register, it becomes easy to feel how appropriate the term "conquest" often was, as descriptive of the acquisition of property, before it became applicable, as it still is in Scotland, to all the landed property

the fashion of a monogram were the letters G. S. I. H. Memory and imagination were immediately set at work to discover the reference of these mysterious initials, to the Guises and the Catholic League, or some other political combination of the period. There had not fortunately been much time or labour expended on a search pre-doomed to be hopeless, when the mystery was explained by Mr. Cochran-Patrick, out of the resources of his numismatic and medallic lore. The moulds were not made for coining money, but for striking a medal in commemoration of a marriage uniting two patrician families of high rank and influence. It is known to collectors as "The Seton Medal," and the initials are those of George Seton and Isabella Hamilton.

The legends were perhaps traditional rather than practically political, as they refer to political influences that had been broken up in the convulsions of the sixteenth century; to the old creed of unity, controlling the political as well as the religious condition of the Christian world, in the theory of the Holy Roman Empire, where there was not only, as in later times, the Bishop of Rome claiming spiritual supremacy over the whole Christian church, but the Emperor of Rome claiming temporal sovereignty over the same region, with a mission to bring all the outlying heathen world within it. The conditions of this creed of the destinies of the Empire, after becoming obsolete, have been revived in the present day, but not with a practical object, for that would infer that the monarch, who recently was known as King of Prussia, claims temporal sovereignty over all Christian Europe in partnership with the Pope, who has never ceased to claim the spiritual half of the old Empire. The revival of discussions on the unity of the Empire in the present day are merely to gratify a worthy curiosity concerning one of the most important influences that, in the Middle Ages, wielded the destiny of nations, from Charlemagne downwards.

that a man acquires for himself by purchase or otherwise, as in contradistinction to the word "heritage" applicable to what he has inherited from his ancestors.

We find that the right thus acquired was not mere privilege or tolerance to a family to succeed each other, generation after generation, in the occupancy of certain lands. They were called "roumes," a word which seems to have two representatives of the present day representing very different things, the one being the part of a dwelling-house called a room, and the other being a realm or the territory of a sovereign. Under this title the kindly right could come into the market and be sold for a price. On the 21st of December 1564, there is a complaint by David Tyrie of Drumkilbo, referring to complicated transactions, but the essential feature in them is that he paid "great sums of money," and believed that he had acquired a just title to the kindly holding of Thomas Abercromby, setting forth that "he has been in continual and peaceable possession of the said steading, with his awn proper goods sinsyne, and yet it is like as the said Thomas and his predecessors were in continual possession of the same as before, past the memory of man," and the right or title confirmed by such possession was the said Thomas giving "his kindness, license, and good will to the said David to take the same in feu, heritably to him and his heirs, and surrogate him in the place of the said Thomas, whereby the said David is in the roume of him the auld kindly native possessor thereof." In this instance the feudal superiority over the land was in a religious community—the great convent of Scone. The case came up in the thick of the great scramble for the ecclesiastical estates, and the Council set apart the question to be considered with others of a like kind on the facts, admitting the validity of the pleas as to the friendly title, if they were supported by the facts.

The holdings by "kindlyness" are found on the eastern side of Scotland as far northward as Aberdeenshire. Counting the living on the same holdings from generation to generation as the raw materials whence the tenure was organised, it should have been rifest in the Highlands, but there appear to be no traces of its existence there. The chiefs or heads of clans were apt to arrogate

a prerogative right of something between sovereignty and possession independently of "the sheep-skin" title from the sovereign, but the people had nothing but tolerance. The borderers and other lowland peasantry rooting themselves to the soil in the customary titles inferred by "kindlyness" is thus one of the characteristics of difference of race. We find a sagacious calculating spirit attaching itself in permanency to the soil, so that the improvements made by each generation might be reaped by its successors. The history of the great Highland clearances shows that the tenants believed that they had somehow a fixity of tenure, but they were mistaken. The law of landlord and tenant removed them almost as easily as the stock on one farm could be removed to another.

The practice of kindly tenancy came up, even in the present century, to trouble the courts of law for its adjustment. In Dumfriesshire there were certain kindly possessions called "the four touns of Lochmaben." In the year 1808 the question whether occupation by "kindlyness" was real possession of land was here subjected to the practical ordeal of finding whether the "kindly tenant" could grant a security, or mortgage as it is called in England, for advances by a bank. Though destitute of a written title himself, the kindly tenant seems to have given a written title to his creditor in all feudal formality coming out on the question, "Whether a real security over lands held by right of kindly rental at Lochmaben could be validly constituted by a written deed impignorating the lands, and by delivery of earth and stone of the lands, as possession thereof to the creditor, and taking a regular instrument thereupon." The documentary title to the bank was a docquet by a notary, not unlike some of the forms in our old Register. "The said Thomas Richardson, as procurator foresaid, producer, produced the preceding wadset right, and desired and required the said J. R. to enter the said J. M. to the possession of the said mailing of lands in Heck belonging to the said J. R. for J. M.'s relief and security, anent the payment of what he had paid to the bank in Dumfries, upon his being bound in manner mentioned in the said wadset right; which desire the said J. R. finding reasonable and just, he entered the said J. M. to the possession of the said mailing of

land, for his security and relief of what he had paid to the said bank at Dumfries, at settling his son G. R.'s cash account with the said bank, and delivered to the said J. R., as procurator foresaid, a little earth and stone of and upon the ground of the said mailing of land, as use is, in giving possession in kindly tenant-right lands. And whereupon, and upon all and sundry the premises, the said J. R., as procurator foresaid, asked and required instruments under my hands," viz., the hands of the notary. "The Court were clear that the real security was effectually constituted by the form in question."[1]

In tracing the internal state of Scotland during the dynasty of the house of Stewart, we find almost ceaseless turbulence, with occasional rebellion or civil war. There was, however, at the same time, an unbroken harmony in the relations between the Crown and the Estates. If it ever happens that a critical eye can trace the elements of a severance between them in interests or objects to be attained, the symptoms appear to be decently covered from any observation that may possibly be hostile, and the end always is a concurrence of forces, unreluctant and sincere. This harmony between the monarch and his advisers extended to the smaller communities, such as the Privy Council, which were virtually the offspring of the Estates. Hence, until the deposition of Queen Mary, and the raising of her son to the throne, there was nothing in the government of Scotland to represent royal prerogative on the one hand, with a constitutional opposition for the protection of popular or aristocratic privileges on the other.

It might be difficult to elucidate the causes, or at least the immediate causes, of this harmony, but it is perhaps sufficient here to notice the general characteristic fact, as it will bear significant reference to the peculiar tone of a succession of State documents carrying the destinies of the country through the crises of the Reformation, and also through the diplomatic revolution which withdrew Scotland from the ancient league with France to accept a close concord with "the auld enemies" in England.

Nowhere else perhaps does the tone of harmony and concurrence assume so significant a character as when the Council or the

[1] Ramsay *v.* Kennedy, 30th November 1808, Faculty Decisions.

Estates step in to break attempts by something like a Royal prerogative to arrest the course of justice, or where rebuke and retraction have to be made for squandering or distributing among favourites the revenues of the Crown, or public moneys devoted to specific national purposes. It is the kindly munificence of the Sovereign—her desire to spread around her abundance, content, and happiness, that has been the innocent cause of the mischief, by inciting the artful and avaricious to plot upon her princely nature.

Owing to these peculiarities there may be a risk that any one carelessly reading the Record of the Council might be deceived as to the real conditions referred to in the expressions employed. It will be very unsafe in every case to believe that the sentiments uttered—especially those uttered by the Sovereign—came from the heart, and are really the language of the Queen expressing not only what she does but what she desires to do. The name of John Knox occurs only once in the Register of the Privy Council filling this volume. The occasion, it is true, was august—the coronation of the royal infant. But his presence only is noted, and never throughout the Register is there any trace, either by name or suggestive allusion, that he had any influence on the progress of events. Yet the ecclesiastical polity and religious dogma of the Huguenots, brought over by him from Geneva, are significantly guarded and promoted throughout the labours of the Council; and the person by whom the strongest testimonies of support and protection are thus uttered is the Queen, who was at heart zealous for the cause of the Church of Rome, with a zeal not exceeded—scarcely equalled—in any other Sovereign of the period, unless it might be King Philip of Spain, to whom she bequeathed the cause at her heart, and the punishment of her enemies.

In the summer of the year 1560 the religion of the Church of Rome had been abolished by the Parliament or Convention. The sanction of that body was given to the Geneva Confession, as expressing "hailsome and sound doctrine, founded upon the infallible truth of Gods word." In the winter of this year the first General Assembly was held, and at the beginning of the year 1561, the First Book of Discipline was adopted. On the 19th of August in that year Queen Mary arrived at the Port of Leith. Six days

afterwards, on the 25th of that month, she issued a proclamation announcing that the state of religion would occupy her serious attention, with a view to an adjustment of difficulties with the aid of the Estates. So far there was vagueness in the utterance of her proclamation, but in the immediate conditions and the conduct to be adopted there was no duplicity or trifling. It was to the effect that none of her people "take upon hand privately or openly to make any alteration or innovation of the state of religion, or attempt anything against the form which her Majesty found publicly and universally standing at her Majesty's arrival in this her realm, under the pain of 'deid.' With certification that if any subject of the realm shall come in the contrary thereof, he shall be esteemed and holden a seditious person and raiser of tumult, and the said pain shall be executed upon him with all rigour, to the example of others."[1]

This announcement was made all the more emphatic, by an exemption to her domestic servants in their private worship according to the Church of Rome ; and the full acceptance by the Protestant majority of the general declaration as all-sufficient, was emphasised by some of them taking umbrage at the exception as a toleration of idolatry.

This proclamation does not appear on the Register of the Council in its proper place. There is indeed no original Register of the Council extant for that month. That month is the last in a long blank beginning in the year 1554. After the last entry of that year it will be seen that the immediately succeeding entry is of date the 4th of September 1561. The proclamation as printed in this volume is seen to come after March 1564. Such is the place it holds in the Register, but it is right to remark that we have no reason to know that it was registered in the year 1564. When the Register was bound, as it now is, the portion of the present volume beginning on page 266, "Apud Edinburgh," and ending on page 268, was bound up in the position towards the other parts of the Register which it holds in the present volume. It is at the end of the manuscript volume with a few blank leaves between it and the entry of 2d March 1563. The next volume

[1] Pages 266-7.

of the Register begins with the minute of the 18th of March 1563-64. In short, the whole has been printed in the order in which it was found, but the editor has not been able to discover any theory for the adjustment of that order. It will be seen too that in entering the proclamation, the year 1562 had been written as its date; that this was an error was at once apparent from internal evidence, and the correction was printed before a later minute citing the proclamation at its real date came to be examined.[1]

Knox, in his History, gives the proclamation so accurately that the most material difference between his rendering and that of the Register is that in the clause "to make any alteration or innovation," the word "any" is omitted. Knox tells us that "this Act and proclamation penned and put in form by such as before professed Jesus Christ—for in Counsell then had Papists neither power nor vote—it was publicly proclaimed at the market cross of Edinburgh upon Monday foresaid. No man reclaimed nor made repugnance to it except the Earl of Arran only, who in open audience of the heralds and people protested that he disassented that any protection or defence should be made to the Queen's domestics," etc.[2] That it was proclaimed by the heralds at the market cross is shown by an entry in the Treasurer's Accounts, where not only the fact of the proclamation and its cost are entered, but there is an account of the substance of the order to make proclamation.[3] Thus this important transaction became known to Knox as part of the public news of the day, and so found a place in his History. The editor is not aware that it is entered in any other book accepted as an authority on the events and State documents of the period. It is not, for instance, mentioned by the keeper of the "Diurnal of Occurrents," although he is often very minute in

[1] See pages 338-9.

[2] Knox, Laing's edition, vol. ii. pp. 272-3.

[3] Item, the xxix day of August 1561, to Williame Barrie, messinger passand of Edinburgh with letters of proclamatioun to the marcat croces of Linlithquow, Striviling, Perth, Dunde, Sanctandrois, Kirkcaldie, chargeing all and sindrie our Soverane Ladeis liegis that thai contene thame selffis in quietnes, and that nane of thame tak upoun hand privatlie nor quietlie to mak ony alteratioun in the religioun, or attempt ony thing aganis the forme quhilk wes publicklie and universalie standing at the arryvale of the Quenis grace hame cuming, under the pane of deid.—Compt. Thesaur. 1559-1562.

his notes of the period, and informs us about the doings of the preceding day, the 24th of August "quhilk was sunday, the Queens Grace causeit say mes in hir hienes chappel within hir palace of Halyrudhous, whereat the Lords of the Congregation wer grettumlie annoyit."[1]

The proclamation is not to be found in the "History of the Affairs of the Church and State in Scotland," by Bishop Keith, though his book is far more valuable in the public documents it has preserved than in any literary or historical merit. He has drawn more than any other author or collector on the Records of the Privy Council of Scotland, and any one acquainted with his book must feel assured that he would have given a place to the proclamation had he found it among the manuscripts so thoroughly searched by him.

At this point the testimony of the Treasurer's Accounts is the only certain evidence that the proclamation had the authority of the Privy Council, and was issued in the Queen's name. But there is further and very significant information furnished by the Register as printed in this volume. Immediately on the proclamation follows a minute of Council, dated 17th of March 1562-63. Here the proclamation is referred to, and in strong terms the indignation of the Queen is expressed as founded on impressions that it does not receive dutiful obedience. It is stated that albeit the same was duly proclaimed so that none can pretend ignorance thereof, nevertheless some forgetting their duty, it is murmured that they have contravened, and intend purposely to contravene the same, by innovating on the religion and ministration of the sacraments, otherwise than the public form foresaid which was found at her arrival; and because such contravention, if it be permitted to proceed unpunished, may not only engender most high contempt of her authority, but also raise tumult and sedition within the realm, to the great hindrance of her Majesty's good mind and purpose, intended for pacifying of such matters and taking order therein by advice of the Estates. Hence there is com-

[1] A Diurnal of Remarkable Occurrents that have passed within the country of Scotland from the death of King James the Fourth till the year 1575. From a manuscript of the sixteenth century. Edinburgh, 1833.

mand to make new proclamation at the market crosses of all the burghs of the realm and at other places needful, to the effect that the proclamation issued on the fifth day of her abode in Scotland shall be kept in every point and condition, under the threats of punishment set forth in that proclamation, with an assurance that as her Majesty most lovingly will embrace all her subjects obeying her commandments, so can she not by her honour and duty but hate and punish the contemners and transgressors thereof, especially in this point where the matter concerns the keeping of good order, etc.

This order, bearing date on the 17th of March 1563 according to modern notation, there is again a minute on the matter of 30th June 1563. The minute is brief and formal, giving her Majesty's instructions to the keeper of her Majesty's signet to pass the usual formal letters authenticating her commands as minuted on the 17th of March ; and standing alone, the terms of the later minute, short as it is, might lead to the conclusion that the Queen found her officers disobedient or negligent in giving effect to the policy she had so much at heart, for the one now addressed is told to set forth the order touching the matters of religion and keeping of civil unity in all points and clauses thereof, no wise eiking nor diminishing the same on any condition, keeping the Act of 30th June for his warrant, as he will answer to her Majesty thereupon.[1]

It will be seen that this, along with the original proclamation and the injunction at St. Andrews, is in the fragment already referred to as detached from the current minutes of the Council. At the period of the proclamation, as already stated, there is a break in the Register for the year 1563, including the date of the renewed warrant, from 11th February to 20th April, including the 17th of March, the date of the renewal. Of the date of the third short minute, 30th June 1563, there is no minute in the body of the Register, but it has entries of 15th June and 8th July, entered as in due sequence as in a complete record of all proceedings.

Throughout the Register there are casual references to the

[1] Page 268.

first proclamation, but in a minute of the 23d of May 1567, the whole affair is again brought up in a very emphatic shape.[1] It is identified as "the proclamation made by her Majesty at her said arrival, the 25th day of August 1561." The Queen has found by certain experience that nothing has so effectually nourished and entertained the public quietness among her highness' subjects, and contented them to her due obedience, as that proclamation. But as malicious men and unquiet spirits cannot abide to see continued peace endure in the State, they have doubted her sincerity and have insinuated that she meant nothing less than obedience to the proclamation. The promoters of such seditious rumours are denounced as calumniators and untrue speakers, and none are ignorant how her Majesty has been constrained to renew the proclamation for the satisfaction of the troubled minds of those who might entertain doubts on the matter. Reference is made to the Parliamentary repeal of all penal laws and statutes "prejudicial to the said form of religion and professors thereof." There is then reference to a point of delicacy. This is not the place for inquiry into the communications of the Queen with her relations the Guises, or her connection with the Catholic League. The document in the Register only refers to "certain privy writings," "permitting some persons to use the form of their religion without contravention of the said Act and ordnance." And it is solemnly declared that "in granting and observing of any such privy writings, her Majesty never meant nor means the violation, prejudice, or derogation of the said public act, ordnance, and proclamation." Further, if it can be shown that any of her acts can fairly be construed as in prejudice of the proclamation, she revokes, annuls, and discharges them.

This is a resolution adopted by her Majesty in Council, but some may find cause for comment on the inner policy that occasioned this and a few other minutes of the same character. If the opinions, desires, and policy of Queen Mary were to be sought in the orders promulgated by her through the Privy Council and nowhere else, we should find not only that she

[1] Page 513.

was zealous for the promulgation of the Protestant religion in the form brought from Geneva, but also for the welfare and due material support of the ministers of the Gospel serving in the kirk of Scotland. Stipends had, as the Register of the Council amply informs us, been set apart for them out of the Thirds of the old benefices held by the Romish churchmen. Whoever attempted to extract this third from the rest of the ecclesiastical revenues had a contest with the owners of the territory on which it had to be levied, or with persons claiming rights through complicated arrangements by the old beneficiaries, and in this contest the ministers were generally defeated. This result roused the wrath of John Knox ; but if we take the Register as her utterance it also roused, though in more decorous fashion, the anger of Queen Mary. After several denunciations, uttered in the ordinary shape by her Majesty in Council, there comes, on the 13th of December 1566, a protestation in an unusual form, headed "Regina," and proceeding, "Forasmekil as the ministers within our realm this hail year bygane has wanted their stipends in respect of sindry occasions that has intervened, yet because we are minded and well witted that the said ministry be sustained and entertained in time cuming as efferis." Reference is made to a complicated arrangement for supplying the ministers in the meantime from other sources, "letters thereupon decerned and given forth either of horning or poinding respectively, as the said ministerie shall think expedient and require," with "express inhibition to our Comptroller to intromit or meddle any manner of way with the said assignations or any part thereof, under all high pains that may follow thereupon."[1]

In this pleading, as in her own name, that provision should be made for the Protestant clergy, the Queen professes to speak by the advice of the Council ; but the Council, in their brief minute recording their disposal of the case, seem with curious precision to bring the proposition home to the Queen as a special object of her own in these terms : "The Lords of Secret Council has seen and considered the Queens Majestys writing within written, and finds

[1] Page 494.

the same reasonable and convenient; and therefore, according to our Sovereign's will and mind within declared, ordains and requires" the proper officers to take order for the fulfilment of the Queen's desire.[1]

At the same period as an adviser separate from and taking precedence of the Council, her Majesty acts "with advice of her dearest husband, James Duke of Orkney, Earl Bothwell, Lord Hailes, Crichton and Liddesdale, Great Admiral of this realm, etc., and Lords of Secret Council."[2]

Some months later, when the Queen was powerless and a captive, a touch of grotesqueness is cast on the Acts of the Council announcing her zeal in the cause of the Kirk, in the denunciation of the Bishop of Dunblane for having "transgressed the acts and proclamations made by the Queen, our Sovereign Lord's dearest mother, in saying and hearing of mass, and causing ministrate the sacraments irreverently and indecently."[3]

If the editor has in these references casually touched a source of abundant historical controversy, he has to explain that he does not consider it his duty here to interpret the history of the period. He has only to make accessible and clear the documents before him. All that has been here said, then, must be taken as a critical inquiry into the authenticity of the documents proclaiming on their face the Queen's zealous guardianship of the new religion; and the opportunity appeared to be a favourable one for permitting a practical glimpse into the relations between the Crown and the governing bodies of the country, and into the extent to which it is just to infer that the Sovereign was a sincere promoter of measures which are passed in his name, or even of those for which he is made to profess an ardent championship.

As we approach the end of Queen Mary's reign, we come among events and documents of such a nature as to have formed the critical battle-field where two hosts of hostile champions have held something like a litigation of three hundred years' duration. It would be a vain task here if it were desirable that the effect of the present contribution to the matter under discussion should be

[1] Page 495. [2] Page 513. [3] Page 569.

anticipated. It is right to explain that some portions of it have been long in print.[1] It was not considered desirable on that account to omit them. In the first place, they all fit into a whole, and the record would be incomplete without them. But further, it may be presumed that the auspices under which they are now published may give a more effectual sanction to their completeness and precision than when they make their casual appearance in some old book of history or criticism, being perhaps placed there by some ardent champion in one of the contending hosts.

So far as they are minutes of the meetings of the Council, these documents are taken from their absolute source. So far as they give the contents of documents laid before the Council—as, for instance, the deeds of abdication executed by Queen Mary at Lochleven—they are certified by the Council as accurate transcripts. From the way, too, in which the Books of the Council were kept, we know that all was committed to writing as it arose in the course of events, and before it was found that changes in the current of these events would make the tenor of what was recorded eventful. So we have the renounced visit to Jedburgh, and the curiously distinct statement how the Court found nothing to do there, suggesting, first, the inquiry what brought them to the place? and, second, why it was necessary to state so emphatically that the errand was useless? We have the Queen in the fever that

[1] Chiefly in (1.) Collections relating to the History of Mary Queen of Scotland, in four volumes, containing a great number of original papers never before printed, also a few scarce pieces reprinted, taken from the best copies. Revised and published by James Anderson, Esq., 1727.

(2.) History of the Affairs of Church and State in Scotland, from the beginning of the Reformation to the year 1568. By the Right Reverend Robert Keith, Primus of the Episcopal Church. Folio. (Reprinted for the Spottiswoode Society, with Biography and Notes by the Rev. John Parker Lawson. 3 volumes, 1845.)

(3.) A Collection of State Papers relating to affairs in the reigns of King Henry VIII., King Edward VI., Queen Mary, and Queen Elizabeth, from the year 1542 to 1570, transcribed from original letters and other authentic memorials never before published, left by William Cecil, Lord Burleigh, and now remaining at Hatfield House, etc., by Samuel Haynes, A.M., 1740.

(4.) A History of The Kirk of Scotland, by Mr. David Calderwood, sometime minister of Crailing, edited from the original manuscript preserved in the British Museum. By the Rev. Thomas Thomson, 1842.

(5.) Acts and Proceedings of The General Assemblies of the Kirk of Scotland—1560-1618—known as "The Book of The Universal Kirk of Scotland," 1839-45.

(6.) Selections from unpublished manuscripts in the College of Arms and the British Museum, illustrating the reign of Mary Queen of Scotland. Edited by Joseph Stevenson, 1837.

followed her visit to the Hermitage ;[1] we have the regal mandates issued in the name of the Queen, "with the advice of her dearest husband ;" and then suddenly the whole business on hand is the chase after the murderer, and the disposal of the Queen his wife.

Any attempt to afford in this Introduction a complete forecast of the matters successively treated in the Register is superseded by the annexed Table of Contents prepared in the method of analysis. Should it be remarked that the fulness of the analysis is not in each instance in exact proportion with the importance of the matter, the remark will be just. Throughout a large portion of the volume matters curious and significant in their reference to the constitution, the law, the social habits, and even the history of their time, are overladen with a heap of traditional forms, or intricate and obscure narrative, and it seems an apt service for an editor whose duty it has been to give each document a close examination to reveal to the stranger a hint of what he is likely to find. But there are other papers that at once tell what they are. Analysing them would be but repeating fragments of history ; and some of them, such as the memorable abdication documents brought from Lochleven, are worthy of all examination and study, as supreme specimens of State draftsmanship.

In printing from manuscripts three hundred years old, the method of the typography to be adopted is important. This importance is attested by the differences and variations from time to time adopted, whether in repetitions of early printed literature, or in bringing old literature into print for the first time. It was the fashion to print certain kinds of literature, as for instance, "Foxe's Martyrs," in the Gothic or black letter, for a century after the modern form called Roman became general. When this homage was paid to the external aspect of antiquity, all that was necessary or desirable was held to be accomplished, and under the protection of the obsolete form of letter, neologies and corruptions of all kinds crept into the text. The worst and most thoroughly

[1] It will be seen that in the Register this fortress is called by its old name of "The Armitage."

modernised edition of Barbour's Bruce was printed in the middle of the eighteenth century in the black letter in use at that time, and copies of it duly frayed and stained and divested of the title-page, have passed, as rarities of the earliest period of printing, into the libraries of ill-informed collectors.

It was considered as sound etiquette to use the Gothic type in printing some kinds of law-books and documents of an official or legally effective character. It became the rule in editions of the Acts of the Parliaments of England, and is exemplified in the three well-known folio volumes of "The Statutes at large, in paragraphs and sections or numbers, from Magna Charta to the end of the Session of Parliament, March 14th, 1704, in the fourth year of the reign of Her Majesty Queen Anne, carefully examined by the Rolls of Parliament, with the titles of such Statutes as are expired, repealed, altered, or out of use." Some of the anomalies and imperfections of this collection are proclaimed on the title-page. It contradicts itself when it announces the Statutes "at large" and the omission of those repealed. These are to the historian and archæologist often the most valuable, and the lawyer cannot be said to have exhausted the learning of his profession who treats a repealed Statute as worth nothing better than a burnt testamentary deed. The imperfections, the inaccuracies, and the general slovenliness of the matter thus presented in the guise of the old black letter were a literary scandal demanding a remedy, and it may be well to look at the shape taken by that remedy.

The first great example of a reformed method of archaic printing was given in the publishing of Domesday Book in 1783, and the arrangements for effecting the improvement may be counted as from ten to fifteen years older. The problem was to render everything as it was set forth in the manuscript letter by letter. The appearance of the letters as Gothic or otherwise was a matter of no or of secondary moment, provided that each sound uniformly represented in the manuscript were represented as uniformly, and with as little risk of confusion with any other sound as in the original Record.

That Record, like others of its period and a few centuries later,

abounded in contractions. In these a certain monogram represented the power of a certain group of letters liable frequently to occur. Types were cast to represent these. The types bore a general resemblance to the manuscript signs, but it was not necessary that they should be identical with the original signs, provided that they were as distinct and as completely distinguishable, each one, from all the others used along with it. The making of these types was an epoch in archaic printing, and it was deemed a memorable misfortune when they were destroyed in a fire that burnt down the printing establishment of Mr. Nichols. The practice of printing, however, with what are still called the Domesday fount of type became an important feature in the annals of typography. It became a distinguishing feature in the last operations of the Record Commission. It has been customary to rail at the working of that institution as lethargic, costly, and fragmentary; but it has laid down before the world a treasury of archæological materials, so vast and so skilfully collected, as to be worth obtaining at any price that would not be large enough to cripple the resources of our affluent Treasury.

The Domesday Book type, with variations and improvements, was used for printing the Records published under the auspices of the Commission. The reason for adopting this method, instead of printing the words in full, letter by letter, with plain English type, was in some respects held to resemble the reasons for using the old Chancery handwriting in legal documents, such as extracts of testaments or of deeds affecting conveyances in land. The practice might put difficulties in the way of uninitiated readers, but what created these very difficulties protected the writings from mistakes, irregularities, and general slovenliness. Writing in Chancery or Court hand was the accomplishment of certain trained adepts applying their peculiar accomplishment to special purposes, and in the pursuit of those purposes they were less liable to go astray than those who should attempt to embody the same matter, in the ordinary phraseology, spelling, and writing, applicable to correspondence and the other daily affairs of life.

The imperfections of the old method were abundant and

flagrant, especially in the several editions of the Statutes. Bacon, commending a thoroughly full and accurate collection of the Statutes of the realm as "an excellent undertaking, of honour to his Majesty's time, and of good to all times," busied himself in collecting materials for such an undertaking; but the project remained uncompleted for two centuries, until, in 1810, was published the first volume of "The Statutes of the Realm, printed by command of his Majesty, King George the Third, in pursuance of an address of the House of Commons of Great Britain, from original records and authentic manuscripts." In the introduction to this volume there is an exposition of the imperfections and inaccuracies of the previous collected editions of the Statutes, with this general statement: "It is ascertained that no complete collection has ever been printed containing all the matters which at different times and by different editors have been published as Statutes. Among the defects of these imperfect editions it is to be observed that the several printed editions differ materially from each other in the text of the Statutes previous to Henry VIII. The copy of the Statute of Gloucester, 6 Edward I., in the edition printed by Tottell in 1556 and 1587, and by Lord Coke in his Second Institute, varies most materially not only from that in the earlier printed editions by Pynson in 1508 and 1514, and by Berthelet in 1531, but also from that in the edition by Marsh in 1556, the same year in which the first edition by Tottell was printed. The copy of this Statute, printed by Hawkins from the Statute Roll in the Tower, varies as well from those printed by Tottell and Lord Coke as from those by Pynson, Berthelet, and Marsh. This instance is mentioned, as the Statute of Gloucester is the earliest now existing on any Statute Roll. Many other instances occur, even in cases where the necessity of correctness was most peculiarly requisite; such are the ancient statutes relating to the assizes of bread, the composition of weights and measures, and the measuring of land. In all these the calculations in the several printed copies vary from each other, and are all incorrect, some in one particular some in another."[1]

[1] Introduction to the Statutes of the Realm, chap. I. sect. 1. "Former printed Collections, Translations and Abridgments of the Statutes."

The Domesday Book type did not recommend itself to literature for the restoration of early texts. David Macpherson used a special fount of types, partially adopting the peculiarities of the Domesday form, for printing Wyntoun's Chronicle; but the later edition by Dr. Laing, along with its other special merits, is fully as acceptable to the archæologist, and much more accessible to the ordinary reader in search of early rhymed literature. That it requires a special, though not a very difficult or tedious, course of education to master it, will ever be an objection to this or any other form of printing other than the accepted form for rendering the literature of the day. The student but partially master of the special system gets impatient of restraint, and desires to read what is before him, but his intellect being divided by the effort to understand the letters, as well as the words rendered by them and their collected meaning, this, the more material object of study, has an unnecessary and provoking impediment in its way.

At the same time there was much to be said for the special type after the exposure of the defectiveness in the printing of records left to casual hands with the ordinary printing materials. The securing an absolutely pure text was an object worthy of sacrifices. Where a certain group of letters was represented in the manuscript by an arbitrary sign or contraction, there was more certainty of accuracy in the using a corresponding arbitrary sign instead of analysing the sign and spelling in letters its several elements. The identity was a physical and visible, as well as an intellectually ascertainable, fact. The security for accuracy was like that claimed for the tallies in the Exchequer. The stick with the figures cut on it was split, and when the split pieces were fitted into each other, the identification of the real value entered in the original unsplit arm was ascertainable with such a certainty as copying, engraving, or printing could ever achieve. It was a satisfactory consideration that as manuscript records are liable to many perils, something approaching to the character of facsimile was multiplied to preserve the pure text of the most valuable among these records. If there were those who would not conform to the troublesome conditions of reading them in the contracted type, reprints could

be made of them in plain English type, and the machinery for obtaining accuracy in the record prints would serve even to keep these reprints accurate, since the printer who knew that the precision of his work could be tested in a hundred places, would be more careful than one whose fidelity could only be tested by going to the parchments in the Tower of London or the Register House of Scotland.

Still there were innate imperfections—perhaps they might be more amply termed inconveniences—in the use of the Domesday type. It nourished a class of scribes, apt to be skilful and dexterous without being intelligent. Scholars came to find that the transcribers knew little about the meaning of what they wrote, and that to render the contents of an old document in ordinary modern written letters was more difficult to them than preparing the "copy" for a printer using the Domesday types. The work of the transcriber, lying so much in the repetition of arbitrary signs, became less of an intellectual operation, and more of a mechanical than that of even the ordinary copying clerk is. But the copier of the arbitrary signs was liable to jumble or misplace them, as everybody else is to make some blunder or mistake. The printed rendering of what he had copied was, in the general case, revised by a competent scholar, with access to the original manuscript for the purpose of collation. In the hands of any powerful archæological scholar, such as Thomas Thomson or Cosmo Innes, the public would be safe from any mischance through the carelessness or blundering of the transcriber; but it came to be an impression that the skilful copier, who was master of the arbitrary signs and could render them in duplicate, was a skilled adept whose workmanship did not require revision; and naturally when that revision fell into the hands of some Archæologist, whose learning, however broad and deep, was not so precise in the recognition of all the arbitrary signs in the Domesday typography as his own, he was naturally supported in a sense of his all-sufficiency for the work in hand.

But whatever merit may be due to the Domesday Book typography as an agent in the preservation of records in their original

purity, an agency has since arisen capable of producing facsimiles that cannot err. The science of Chemistry has superseded the most expert of the renderers of Domesday Book contractions, where the purpose is to repeat, not only what they express, but their form, figure and dimension. Wherever it is desirable to produce repetition of anything whatever, dependent on variations of light and darkness by colouring matter, the process of photozincography is available. The beautiful specimens of the application of this art in the three volumes of "The National Manuscripts of Scotland," photographed under the direction of the Lord Clerk Register by Sir Henry James, are an ample testimony to the all-sufficiency of the new art for preserving and multiplying our records in their original form and character. It may then be said that the Domesday typography has done its work, and may be henceforth abandoned as a method of printing adapted for our early records. By an interesting coincidence the collection supreme among English Records, the great Domesday Book, was the first fruit of both systems. As the skilful printers who gave effect to the contraction types, a hundred years ago, produced that edition of Domesday Book which was accepted as a model by the Record Commission, so Sir Henry James is now busy in preparing what cannot be otherwise than a perfect and unerring facsimile of the original writing by the process of photozincography.

A few casual anomalies in typography clustered about the Domesday form and threaten in some measure to linger behind it. These are small perversions of the use of letters, sometimes in using the same letter with a double sound or force, each destitute of any analogy to the other, sometimes exchanging letters so as to make each represent the sound or force of the other, or which the other has in ordinary English composition. Familiar among these are the inversion of the "u" and the "v," the "w" sometimes coming to increase the confusion, and the alternating between "i" and "y." There is besides, almost peculiar to Scotland, the use of the letter "z" to express the sound of "y." The written character of this country—as of Europe generally—has varied much in the course of three centuries, and continues to vary. In

keeping parallel with it, typography appears to have occasionally stumbled. The letter that is long and slender in the handwriting of one period becomes short and circular in that of another. We have experience in our own day of two ways of writing the letters "s" and "z"—the one short and the other long. It came to pass in these shiftings and changes, that the written letter "v" came to resemble the printed letter "u," while the written letter "u" completed the exchange by a resemblance to the printed letter "v." In some printed books of the seventeenth century there is to be found a use of the two for the common purpose of representing either letter. Printers and editors, however, under the more exact rule of the Domesday Book typography, have made the "v" do duty for "u," and so of the converse.

Nothing can be gained by adhering to these anomalies, and they tend to trip up uninstructed or careless readers. Our modern alphabet has powers for accomplishing everything that an alphabet exists for, and it is known to etymological archæologists, that by a free and discreet use of modern letters with their modern sounds, we can express the words of three or four centuries ago, with more closeness to the manner in which these words were spoken, than we can by rendering them in the spelling of the documents where they occur, unless we modify the sounds of the letters to ancient usage, instead of giving them exactly the force of the same letters at the present day.

This arises from the fact, now so well known to students of etymology, that while the shape of letters and their use in spelling words shift so as entirely to change their force, the pronunciation of the people remains unchanged, or but slightly affected by the lapse of long ages. Scotsmen travelling in the Teutonic States of Northern Europe find a curious testimony to this phenomenon in the fact, that when a word belonging to the foreign tongue has a cognate word, of the same family, and retaining the same meaning, in Scotland, the traveller will get on better with the natives by using it as he has used or heard it used in Scotland, than by attempting to realise it from a German, Dutch, or Danish dictionary.

One of the most obstinate and curious of the incongruities between printing and pronunciation has been in the use of the "ye" for "the." It is evident, from the way this abbreviation is used in imitations of seventeenth century writing and conversations, that an impression has prevailed that the "ye" represented the method of speaking in the seventeenth century, though probably no universality in its use would drag or seduce our people from the ordinary and long-accepted pronunciation of the definite article. There remained, in fact, in the hands of the printers in the sixteenth century, a single letter representing the power of our modern "th"—a Gothic theta. It had a close resemblance to the letter "y," and printers, as the Gothic type or black letter dropped out of use, employed the "y" to do duty for it.

There is an instance of the exception proving the rule in the occasions—insignificant each of them in itself, and few in number—where the power of the printing press has influenced the pronunciation of the people, or at least a portion of them. The use of the letter "z" to express the power of "y" is one of the most troublesome of the relics of a vitiated method, here referred to. We have "zear" for "year," "zour" for "your," "ze" for "ye," and so on. There are two proper names in Scotland which have yielded their original sound to some extent to this perversion. The names were originally Menyies and Mackenyie. Among the gentry they are now called Menzies and Mackenzie, from the long use of the "z" to express the "y" in writing their names. I have thought it necessary where the names occur in the Register to adopt this transmutation for the sake of making the two names intelligible to the ordinary reader, but the peasantry, among whom families of either name live, still give them the sound of the "y," as Menyies or Mackenyie. The great Lord Advocate, Sir George Mackenzie, was long denounced in Scotland, and still is occasionally among descendants of the Covenanters, as "Bloody Mackenyie."

An effort has been made in this volume to cast off the anomalies here referred to. There is another anomaly peculiar to Scotland, in that the feminine pronoun which is "she" in English is "sho" in the Scots. In pronunciation however there is reason to

infer that the two communities were not so far apart as the ordinary force of the two words would appear to place them. In England the final "e" was not so narrow as it now often is, expressing something like a double "e," as "shee." In Scotland, on the other hand, the "o" certainly was not pronounced in its broad power as in "so" and "ho." A dot in the "o," hinting at a sort of diphthong mixture, came into use; it was thought that there was no harm in applying it on this occasion.

I believe the reason why some editors have not taken occasion to clear the matter passed through the press by them of the petty but troublesome anomalies here referred to, is because they have found the task too troublesome. Both transcriber and printer had got into a habit that could not be easily shaken off, and it is not given to every one who studies archæology to have the patience—if, having the patience, he should also have the skill—to transcribe the contents of a large volume with his own hand. The trained transcriber under the old method seemed to lose more than half of his accomplishments if he rendered his work in ordinary modern writing, while habit had made such a duty irksome and difficult.

The monk who spent his days in the Scriptorium of his monastery, or the scribe who served among the rolls of the Chancery held a position very different from that of the copying clerk of later times. He was master of the learning of his age, and especially of its barbarous latinity. His capacity for writing the Gothic character with its intricate contractions partook of the double nature of an exact science and an ingenious craft or mystery. It was sealed from the knowledge not only of the craftsmen, the men-at-arms, and the affluent burgesses, but also from the haughty barons who ruled the land. On the other hand it was a secret bond of union among scholars throughout Christendom, for all used the same language and wrote in the same intricate characters. Some shadow of the sense of mystery and importance thus created seemed to descend on the group of copiers reared by the services of the Record Commission and the revival of mediæval literature. They seemed to have a satisfaction in preserving the mystery of the Gothic contractions not only in the modern hand-

writing, but also in the form of the printed text of the ancient writings.

If from this position the palæographic transcriber of later times may have somewhat descended, it is pleasant to notice symptoms of reaction in his favour. There are some investigators who, however well they may have mastered the science of palæography, yet chafe at the task of copying or even reading old manuscripts letter by letter; while to others the minute mechanism of palæography affords satisfaction and even enjoyment. This division of tastes has a tendency to division in habit, so that frequently two men may have begun the chief occupation of their lives in archaic study, the one devoting himself gradually to history and archæology, the other to the work of the palæographic transcriber. The two occupations may in some measure alternate, but if taste and opportunity lead any one to become an expert and accurate palæographic transcriber, he is entitled to take his place as a master in a learned craft. Let us hope that, when such men are to be found, improved remuneration for their skilled labours will represent an improved estimate of their value.

The Editor had the good fortune in the present instance to secure the aid of Mr. James Grant, who possesses in rare combination a full command over the old contracted and perverted signs, with the faculty of understanding the tenor of the whole, and of rendering each word, whether made up of contractions or of letters, in the written and printed character of the day. He at the same time has a memory richly stored with genealogical and topographical knowledge—an accomplishment very valuable in dealing with a Register so affluent as the present in proper names.

In every portion of the text of this volume, professing to render the words written in the Register, these words are printed letter for letter, whether in the original these letters are expressed in groups by contraction or are severally articulated. If there is any exception to this it is the result of the mistakes that are possible in defiance of the utmost care to achieve, and the conviction of having achieved, complete accuracy. Occasionally words occurred not to be easily accounted for, and, in some rare instances, neither

to be accounted for by the editor, nor by advisers better acquainted than himself with the science of Palæography. There was always one certainty however available to such adepts. They would determine as surely as in the application of an exact science the letters set down in the Register, and these were consequently rendered in type. Hence it is likely to occur that when a reader thinks he has alighted on a blunder, he has come on a word that has been transferred from the manuscript with unusual care.[1]

[1] To prevent misunderstanding, it may be well to note that the same precision has not been thought necessary in the quotation of passages, whether from the Register or other old documents, in this Introduction. Enough of the original spelling is given to make the quotation represent its period, but some spellings that might be stumbling-blocks to readers of old English are slightly smoothened, and in this it is believed that they are brought nearer to the pronunciation of the words at the time, than the letters in which those words are couched, if pronounced according to present modes of pronunciation, would render them.

THE TABLE.

1545.

June 5. (1) Alexander Dunbar, Sheriff of Elgin and Forres, obliges himself to deliver over the house of Ternway, ... 1

(2) Elizabeth Countess of Murray is to obey the Governor and others in relation to Alexander Dunbar, ... 1

June 7. (3) Certain French coins made legal tenders, ... 2

(4) The Lieutenant Lorges de Montgomery having arrived from France with an auxiliary force to serve against England, a convocation called, ... 3

(5) The magistrates of Glasgow to set prices for certain commodities, 3

June 20. (6) Dispute between the Earl of Cassilis and Agnew Sheriff of Wigtown about the abbey of Glenluce. The Sheriff to remove from the abbey, and leave it to the monks and their servants. The Earl of Cassilis to hold no courts on the lands and lordship of Glenluce, by virtue of his bailliery, ... 3

(7) Proclamation against Donald of the Isles and his followers, charged with burning, harrying, and slaying in the service of the King of England, ... 4

June 24. (8) The Court of Session removed from Edinburgh to Linlithgow on account of the pest, ... 5

June 25. (9) Certain burgesses of Edinburgh, collectors of the tax of £26,000, to pass to Linlithgow and render account of their intromissions. All sheriffs, stewarts, and magistrates of burghs to pass to Linlithgow with the tax rolls, and accounts of receipts, and executions of horning against defaulters, ... 5

June 26. (10) Co-operation with French auxiliaries against England (abridged, and reference to where it is already printed), . . . 6

June 27. (11) A general convention in Stirling, and hence macers and other officers exempted from attendance and service. Assurance against harm to George Douglas and the Laird of Drumelyair. They assure Patrick Earl of Bothwell and Malcolm Lord Fleming, their kin, etc., against harm or pursuit, ... 6

(12) Act relating to the constitution of the Secret Council, . . 7

Reference, the Earl of Argyle and Douglas of Lochleven, of certain disputes, ... 7

(13) On the application of the Abbot of Glenluce, the Earl of Cassels and others charged against invading the place of Glenluce and abbey thereof, ... 7

June 28 and 29. (14) Co-operation with French auxiliaries; reference to acts, ... 8

(15) Recorded transference of certain land rights by Earl of Glencairn, ... 8

June 30. (16) Robert Master of Maxwell, with certain sureties, becomes

bound to hold Caerlaverock and other houses against the English. The suspicions against his father Lord Maxwell, as assured to England, 9

(17) The Master of Eglintoun becomes bound that the Laird of Caldwell and his brother produce the titles of any claims he professes to the lands of the widow of the late Muir of Caldwell, . . . 9

(18) Rate fixed at which certain double ducats of Spain and Portugal shall be a legal tender, ... 10

(19) A Portuguese vessel having been captured, under letter of mark by the King of France to Gilbert Scot, may be received, and the cargo sold in Scotland, ... 10

(20) Circulation of new English groat prohibited, . . . 10

(21) The Lords Erskine and Livingston having charge of the Queen in the castle of Stirling, they and certain others, their friends, chiefly landed gentlemen in the neighbourhood of Stirling, exempted from service against England—

Exemption—John Lord Erskine and his friends, . . . 11

Alexander Lord Livingstone, ... 12

The Cardinal protests that the exemption be no prejudice to his Regalities, ... 12

(22) The Lord Paisley protests for his tenants in the regality of Halyrudhouse, ... 13

(23) Robert Master of Erskine being required by the Warden of the West Marches to go to Carhill and render himself prisoner to the King of England, according to his bond. Prohibited, for reasons stated, from complying, ... 13

(24) Proclamation ordered against those who are mustering to join the force against England, plundering, or otherwise injuring the Queen's lieges, ... 13

(25) Order of payment to the Cardinal of cost of removal of artillery from Edinburgh Castle to the Border, ... 14

(26) Convention of the principal Lords, spiritual and temporal, to be held in Linlithgow, ... 14

(27) Measures for collecting the arrears of the tax of £26,000. Collectors appointed for certain districts, ... 15

(28) Commissioners appointed for the muster of 1000 horsemen to pass to the Border. Distribution of the force, ... 16

(29) A treasurer appointed for the disbursement of the funds for maintenance of the horsemen, ... 16

(30) Persons in the Merse and Teviotdale suspected of assurance to England. Proclamation that all are to join in musters for defence of the realm, and resistance to Border marauders, ... 16

October 31. (31) The judges to have no respect to private letters by the Governor protecting parties accused from proceedings. The Governor's concurrence in the injunction, ... 17

November 1. (32) The Lieutenant on the English border having ordained that no captives taken by the Scots and allowed to go home, on promise of return to their captors when called, should be permitted to return. The like injunction proclaimed as to English captured by Scots, ... 17

December 19. (33) A supply to the Lord Hume, who by reason of the destruction of his property cannot effectively hold his castle on the Border. To be supplied out of arrears of tax in the Diocese of St. Andrews, ... 18

(34) Registration of Treaty as to commercial intercourse with Flanders, ... 18
(35) Tax of £16,000 for support of troops on the Border in arrears. Steps for enforcement of payment, ... 19
(36) Assignment out of the tax to Ker of Mersyntoun for services and sufferings in defence of the Border, ... 19

1545-6.

January 19. (37) Patrick Earl Bothwell engages to surrender George Wishart to the Governor, and to keep him securely in the meantime, 20
January 23. (38) Ratification to Patrick Lord Bothwell of the feudal casualties of the estates of the deceased Lord Saltoun. A sum to be paid in consideration, and the Lord Borthwick to be surety for its payment, 20
(39) Rectification of a double gift that had been made of these casualties, ... 20
February 5. (40) Commendator of Dryburgh lodges protest of nonpayment of certain debts, ... 21
(41) Lord Bothwell to take steps within his sheriffship to recover the tax assigned to Lord Hume, ... 21
(42) William Lord Ruthven, Sheriff of Perth, engages to pay the arrears of tax in his sheriffdom, or transfer to the collectors the writs for enforcement. Powers given in the matter to Walter Scot of Bonhill in the meantime suspended, ... 21
February 9. (43) Malcolme, Commendator of Whithorn, pleading inability to pay tax on account of decrease of the revenues of the Abbey. A third remitted, ... 22
(44) For the purpose of united defence against England, Walter Ker of Cesford and others, on the one side, and Walter Scot of Branxholm and others, on the other side, agree to suspend all armed contest with each other, reserving their rights of action in the Civil Courts, ... 22

1546.

May 23. (45) The Justice-Clerk to take steps against persons in the Merse and Teviotdale under assurance to England, ... 23
June 5. (46) Appointment of George Earl of Huntly as Chancellor, . 23
(47) Certain members of Council to attend the Governor. Appointed by name. Four to act each month in rotation, . . . 24
(48) Exemption from Council duty of the Lords Erskine and Livingston, as having charge of the Queen, ... 25
June 11. (49) The persons who committed slaughter on the Cardinal Archbishop, having taken the Castle of St. Andrews, proclamation against intercommuning with them, ... 26
(50) Barons and other gentlemen of Fife summoned for consultation with the Governor, ... 26
(51) Lord Huntly, on becoming Chancellor, exempt from attendance in rotation, ... 26
(52) Band as to the marriage of the Queen cancelled. Bands between subjects prohibited, ... 27
(53) Proclamation against convocations and contests on questions between landlords and tenants. Officers of the law to be obeyed in the execution of their duty, ... 27
(54) Complaint by Robert Lord Maxwell that he cannot fulfil his

duties as Wardane of the West Marches while deprived of the Castle of Lochmaben. This conditionally restored to him, . . . 28

(55) Apprehension that from the state of public feeling, evil-disposed persons may pillage, destroy, and seize ecclesiastical and monastic buildings. Proclamation against further outrage and for restoration of the places seized, ... 29

(56) Proceedings as to James Twedy, at the horn, ... 29

(57) Delivery of Castle of Lochmaben to the Lord Maxwell minuted, *cr.* 54, ... 29

(58) Certain Lords, parties to the band for the marriage of the Queen, concur in its dissolution, *cr.* 52, ... 29

June 18. (59) The Earl of Argyle and James Cannochson record obligation to keep the peace towards each other for a month, ... 30

June 26. (60) Certain burgesses of Edinburgh appointed to see that the grain taken by the ship "Lyon" in Leith be not regrated, but sold at certain rates, ... 30

(61) Captain of "The Lyon" and others find security for responsibility as to captured prizes, ... 30

(62) Persons named as cited to answer for the slaughter of the Cardinal and holding the Castle of St. Andrews. Lest they should be stopped by fear of the Cardinal's friends in Fifeshire, proclamation against impeding them on their passage to Edinburgh, *cr.* 49, . . 31

(63) Arrangements for obviating disturbances arising out of variance between Lord Huntly and the Master of Forbes, . . . 32

July 30, 31, and August 3. (64) Justification of the Queen and the Governor in summons of treason against Norman Leslie and others concerned in the slaughter of the Cardinal, *cr.* 62, ... 33

(65) Committee to endeavour to adjust the variance between the Earl of Cassilis and Gordon of Lochinvar, ... 34

(66) John Simple, Laird of Fulud, for himself, his sons, and his followers, abandons pursuit of the Captain of Dumbarton for reifs, spoils, slaughters, etc. Effects taken from the Captain since the siege, to be restored, ... 34

(67) Further adjustment of rights and obligations, consequent on delivery of Dumbarton Castle, ... 34

(68) William Lord Ruthven appointed keeper of the Great Seal, . 35

(69) Resolution to accept the comprehension of Scotland in the peace between France and England, ... 35

August 16. (70) Approval, on report of Provost of Edinburgh, of prices put on goods in certain captured prizes, ... 36

(71) The Master of Forbes registers an obligation, on his release from the Castle of Edinburgh, to accompany the Earl of Huntly and abide in free ward in the north, ... 36

(72) Obligation presented by John Lamond of Inverryn, Dugald Campbell of Auchinbreck, and Lauchlain M'Lauchlan of that Ilk, registered for execution, ... 37

August 21. (73) Division of the realm into four quarters, and proclamation of corresponding muster for the siege of the Castle of St. Andrews, *cr.* 64, ... 38

(74) Comprehension in the peace between France and England adjusted, ... 38

(75) Proclamation against attacks on English ships. No ships to go to sea equipped for war without a royal licence, ... 39

August 24. (76) Proclamation for more effectually enforcing the musters for the siege of St. Andrews, *cr.* 73, ... 39
(77) Documents for the signature of the Governor to be presented by the head of the department they belong to, and other arrangements for official responsibility, ... 40
(78) John and Andrew Cant find surety to make forthcoming certain bales of goods claimed by Frenchmen, ... 40
(79) Patrick Earl of Bothwell and William Lord Ruthven become security for the conduct of commanders of "The Mary and her four barks" belonging to the Earl, and licensed to pass in warfare on enemies. Exemptions conditional as to Flemings, Hollanders, and Hungarians, ... 40
September 15. (80) Robert Stewart, brother to the Earl of Lennox, desiring reinstatement in his Provostry of Dumbarton. Refused, because forfeited with other possessions, on his passing to England; and on his return to allegiance, having agreed to acceptance of certain provisions in place of the forfeited benefices, he has not kept the terms of agreement, ... 41
September 30. (81) Gordon of Lochinver, leaving the Abbey of Glenluce till Yule in the hands of the Abbot and Convent, the Earl of Cassilis gives obligation not to molest them, *cr.* 6, ... 42
(82) Contract of marriage between Gilbert Kennedy, Master of Cassilis, and Lady Jane Hamilton, daughter of the Regent, registered for execution, ... 42
(83) Captain John Borthwick finds security for remaining in free ward in the Castle of Borthwick, ... 43
October 2. (84) Embassy to England to adjust specialties necessary for the interests of Scotland in the comprehension. If not accepted, mission to France, requiring, if England invade Scotland, assistance under the old league, *cr.* 69, ... 43
October 5. (85) Thomas Gaderair to account for the effects of the late Bishop of Moray, ... 44
October 6. (86) The Governor and Justice General requiring to be in St. Andrews during the siege, the other judges to repair thither, *cr.* 76, . 44
(87) Proclamation that no Scotsman assail Portuguese, Spaniards, and others under letters of mark, ... 45
(88) All customars to be under the Comptroller as Customar General, 45
(89) Adjustment, John Keith and Alexander Keith, with Alexander Innes of that Ilk, registered for execution, ... 46
November 17. (90) Sir Neil Montgomery of Langshaw gives assurance to the Countess of Eglinton to pass with her servants to the Castle of Polmese, and recover her effects intromitted with by Sir Neil, . 47
(91) Proclamation of musters in the shires of Fife, Clackmannan, and Kinross to continue in the siege of the Castle of St. Andrews, *cr.* 86, 47
November 21. (92) Registration for execution of obligation by Sir Neil Montgomery of Langshaw to receive in kindness certain retainers of the house of Eglinton, until their lord come of age. Renewal of assurance to the Countess of restoration of her effects, . . . 48
(93) The Countess to give discharge accordingly, *cr.* 90, . . . 49
(94) Registration for execution of further readjustment of rights and claims between the Countess and Sir Neil, ... 49
November 22. (95) Adjustment of the claims of the Earl of Eglinton and the Abbot of Crossraguel, ... 51

(96) The Abbot agrees to remit the rancour of his heart against certain persons, and to take them into favour, ... 52
November 26. (97) Disposal of wines brought to St. Andrews in a French ship, 52
(98) Agreement by Countess of Eglinton and Sir Neil Montgomery to postpone the day of completing the transaction at Polnone under the minute of the 21st, *cr.* 92, ... 53
(99) Persons protesting that they are not committed by these transactions, ... 53
(100) The Countess requires delivery by Sir Neil of band of manrent, *cr.* 96, 97, ... 53
(101) Articles of service which the King of France is desired to afford to Scotland, in expectation of an invasion by England, . . 54
[Date illegible.] (102) Archibald Beaton, having been taken by George Douglas, Postulate of Arbroath, to Tantallon, Douglas produces a notarial protest, of Beaton's admission that he was not plundered, . 55
[Date illegible.] (103) Complaint by the Lords of the College of Justice and Session, that though they are exempt from taxation, the prelates in their contribution for the siege of St. Andrews assessed a portion on ecclesiastical benefices held by some of them. Decision that the exemption includes the members who are churchmen, ... 55
(104) The Governor protests that this prevent not his recovering their full share from the clergy, ... 56
(105) Proceedings to be taken for the recovery, ... 56
December 13. (106) The Queen having appointed George Douglas to the Abbacy of Arbroath, resolution to maintain his right to it, . . 57
(107) Expedient that the Governor pass to the Borders with a force, but not to interfere with arrangements for the siege of St. Andrews, 57
December 19. (108) The siege tedious and costly. Probable assistance to the garrison from England. The garrison being good Scotsmen, and the place not likely to yield except by famine, recommend terms to be made with the garrison, *cr.* 86, ... 58
(109) The Governor protests that as he is willing to proceed with the siege, whatever is done shall not affect his honour, . . . 58

1546-7.

March 17. (110) Description of the disturbed state of the country. The Governor engages not to exercise any power of remission of punishment to persons accused of slaughter or other violent offences for three years. Harbourers and abettors to be treated as principals, . 59
(111) Abuse, in the shape of contumelious resistance to the Queen's officers, macers, heralds, etc. The perpetrators to be punished, and the Governor to give no remission as above during three years, . . 60
March 18. (112) Prevalence of theft. Act for suppression to extend to resetters and abettors, and those failing to join in the pursuit, . . 60
March 19. (113) Churchmen to give the Governor the names of heretics, that the laws may be enforced on them, ... 61
(114) Further, for suppression of theft, the Act to be enforced rendering superiors and chiefs responsible for their vassals or followers, and that when they are resetters or abettors, or fail to join in the pursuit, ... 61
(115) As the lieges falling out of the use of arms, a wapinschawing proclaimed, ... 62

(116) Threatened invasion by England. Proclamation for general muster, armed and provisioned, on stated warning, ... 62
(117) The bishops, prelates, and kirkmen present in Edinburgh represent the prevalence of "the pestilential heresies of Luther," and others, and relapses, desiring assistance to the "jurisdiction spiritual" in furtherance of remedy, ... 63
(118) The complainers desired to furnish the names of the heretics and teachers of heresy, ... 63
(119) The Lord Ruthven with certain others, on the one part, and Patrick Lord Gray with certain others, on the other part, cited to attend, that order be taken for settlement of disputes, ... 64
(120) For suppression of depredations, the Governor to pass to the Borders, and a muster in arms at Peebles proclaimed, ... 64
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(145) Furnishing of oxen and pioneers for the army to be assembled at Edinburgh, ... 83

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(207) Commissioners from Scotland appointed to meet Commissioners from England, for an equitable division of the Debateable land, *cr.* 204, ... 120

(208) Special instructions to the Commissioners. Testimony of reliable inhabitants on either side to be taken. In case of disagreement in testimony, to concur in division of specific lands where the value is indifferent, but no division of the lands of the Priory of Canoby. The adjustment to be made for perpetuity. Condition that neither party build any strength on its own share, and the removal of two strengths to be pressed on England, but not to the defeating of a division. Arrangement for accepting the allegiance of inhabitants of the Scots portion. Some matters to be decided by lot. The English Commissioners having a safe-conduct to come to Dumfries, the Scots are to demand the like to go to Carlisle, . . 121

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2. Terms of agreement with England for readjustment of terms of restitution for property stolen. Triple restitution and damage.

3. Slaughters and mutilations to be punished to the rigour of the late treaty of peace. Conditional on co-operation by England.

4. Difficulties in adjusting claims of captives released who have forfeited their bonds. Proposal to postpone. The three Wardens of Scotland to give notice of the articles to the opposite Wardens of England for concurrence, ... 122

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(211) The Archbishop of St. Andrews presents the concluded writs of agreement dividing the Debateable land, and delivers them for registration, ... 125

(212) The Clan Cameron and Clanranald failing to render themselves at a justice aire at Inverness, the Earl of Huntly to deal with the Clan Cameron, and the Earl of Argyle with the Clanranald. John of Moydart, captain of the Clanranald, explaining that he would have attended had it been possible—proceedings in his instance suspended for a time, ... 125

(213) Lundy of Balgony and Fairnie of that Ilk on the one side, and Betoun of Creich on the other, submit to decision by arbitration their feuds and animosity, including certain slaughters, . . . 126

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November 30. (217) Footmen to be raised for France, conform to the old leagues, bonds, unities, and alliances since the time of Achaius and Charlemagne. The country to be stented, and an able man raised for every forty merk land of old extent. Equipment defined. Freeholders of every shire and bailiary to convene at the head burgh, and men to be presented for enrolment. Arrangements for enforcement of muster, ... 129

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(220) Commissaries-depute for the enrolment of the force, and the country divided into districts, with commissary for each, . . . 132

(221) The Kers of Cesford, Pharniherst, and Hirsel, so harassed about the unhappy chance of the slaughter of the Laird of Buccleuch, that they have nothing to live on unless they steal or rieve. At the horn, no one dare defend them, and innocent persons slaughtered in their cause. Plea for compassion, and assurance of submission to the pleasure of the Governor, and satisfaction to the injured party, . 132

(222) Judgment that those concerned in the slaughter be banished to France. The Kers to raise a hundred horsemen well furnished to serve in France. This fulfilled, provision to be made for the safety of the lives and estates of the Kers, ... 133

December 12. (223) Four hundred horsemen to be raised in the borders and lowlands by the Bishops, Abbots, Priors, and temporal nobility.

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(224) On application by the superior officers, all legal proceedings that would require persons raised for France to attend on courts of law suspended during their absence, and eleven days after return. Names of persons included in the privilege, ... 135

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May 13. (228) The Clerk Register to extract from the books of Parliament, Privy Council, and others, all Acts made since the death of King James v. touching the commonweal and welfare of the realm, that they may be printed and distributed, ... 138

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August 28. (233) The Master of Maxwell, Warden of the West Marches, finds the office too burdensome. A salary offered, but insufficient while other conditions are unfulfilled, ... 143

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(235) The Master to lend his uncle the Castle of Lochmaben for convenience to his Wardenry, ... 144

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(237) Arrangement with the Treasurer for payment of the salary of Sir James Douglas, ... 146

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(243) The master coiner to coin in babies all silver brought to him by the comptroller. Not to interfere with the arrangement as to the Bishop of Ross, ... 152

January 21 and 22. (244) Bond of Assurance by certain Kers that Cranstoun of Smailholm and certain Scots with their kin and followers shall remain unhurt, unharmed, etc., by anything done on their side; on oath on the evangelists and other sanctions, ... 152

(245) Like bond of assurance by certain persons named in favour of the Kers. Certain persons entered as pledges on both sides, . 153

(246) Certain Kers and Rutherfurds to find sureties for themselves and their followers keeping good rule, both as to Scotland and England. Otherwise to enter themselves in ward in the Castle of Edinburgh, . 153

(247) Sureties for certain Rutherfurds, Turnbulls, and Cranstouns that they shall remain within the burgh of Edinburgh until the 10th day of February. If any of them desire to relieve their sureties, either in Edinburgh or Haddington, they shall find sureties "inlanded men sufficient within Soutra Edge," each to the extent of ten thousand pounds. Clause of registration for execution, ... 154

(248) Certain Kers engage on assurance both that they and their followers shall keep the peace towards certain Turnbulls until the 15th of April, ... 155

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(252) Arrangements for the ceremonials and meetings of the Council. The method of transacting business, and the keeping of the Register, ... 158
Their personal privileges and protection: punishment for offence against, ... 160
(253) In case of slaughter, fire-raising or other outrage, such of the Council as the Queen may approve to proceed to the spot and act, . 160
(254) No signature is to be presented for subscription by the Queen, unless it has been examined and approved by the Treasurer, . 160
(255) On the issuing of letters of horning or poinding by the Lords of Session, they are to contain directions to the officer, when he denounces rebel and puts to the horn, to arrest effects and make inventory, returning inventory or deforcement, to the Sheriff, that he may do his office, ... 160
(256) Lyon King at Arms to order each officer admitted by him, when he has denounced any one rebel and put him to the horn, and is deforced, to indorse the letters in duplicate, keeping one and delivering the other to the Treasurer or Advocate, for the punishment of the offender, ... 160
September 8. (257) Troubles having arisen from letters of marque granted by previous Sovereigns against the Portuguese, those professing to hold the letters are cited to appear before the Council and account for any property seized; and all persons prohibited from acting under the letters, ... 161
September 9. (258) Thomas Kennedy of Bargany cited to appear and produce the Court-book containing the process in which he professes to decide that the ships and goods taken by William Cant, Walter Cant, and others, from certain Bretagners are lawful prize, . . . 162
September 10. (259) In the late troubles the most part of the clergy and ecclesiastical estate had, "in their pretended manner," conveyed away the church lands, to the great hurt both of the Crown and the poor tenants; and the obtainers of the title, to make them more secure, send to Rome for confirmation, spending abroad the money that should have had circulation at home. Proclamation against applications to Rome, and that confirmations so received to be null, . 162
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for, and receive lists of the thieves and broken men whom they are bound to present to the justice, ... 164
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October 18. (265) Parties to appear for settlement of a dispute as to profits of Canobie, ... 165
(266) Sir John Maxwell of Terregles accepts the Wardenry of the West Marches, ... 165
October 19. (267) Charge by several persons against Thomas Kennedy of Bargany. They state that they are subjects of the King of France, residing at Nantes in Bretagne, and owners of a ship and cargo freighted from Nantes to Bilbao in Spain. The vessel seized by William and Walter, the sons of Walter Cant in Leith, and brought into the Port of Lochryan, and there received, resetted, intromitted with, detained, disponed, and withholden by Thomas Kennedy. He pleads that the charge is a civil question, and should be remitted to the Lords of Session, ... 165
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October 22. (269) Order to be taken with certain borderers not appearing on citation, ... 167
October 23. (270) Further as to attendance of Borderers. Questions of horse stealing, ... 168
(271) Lord Hume accepts the Wardenry of the East Marches, . 168
October 25. (272) James Shaw of Sauchy appeared and admitted that he knew William Shaw culpable and participant of taking the 4500 crowns from the Frenchman. Required to produce William, . . 168
(273) Persons charged to attend and give their advice on matters concerning the welfare of the Borders, ... 169
(274) Certain Border leaders, in presence of the Queen, received their "valentines" of persons charged with theft and other crimes to be produced before the Justice at Jedburgh, ... 169
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October 29. (276) The "cause of Redheugh" a question affecting title in land, and preceding question whether the Council is the proper tribunal, ... 171
November 3. (277) Resumption of proceedings at the instance of the Nantes shipowners and merchants against Kennedy of Bargany. Reserving the question of the jurisdiction of the Council in such cases, a formal pleading for the defender sets forth reasons for holding that the statement by the complainers is not sufficiently distinct as to the property concerned, the title of property in each and all of them, and other particulars necessary to bring home the seizure and disposal. Reasons for presumption when the cargo was seized by the Cants that it belonged to Spaniards, *cr.* 267, ... 171
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November 6. (279) John Cant and John Keith produce acquittance for the admiralship of the ship "Mary Fortune," 179

(280) Security found for John Morton, for the restoration of his ship, detained in England at the instance of the Procurator-General of the Spanish nation, ... 179

November 8. (281) Pleading at length, for the Nantes shipowners and merchants, in reply to the defences of Kennedy of Bargany, *cr.* 277, ... 179

November 11. (282) The Laird of Cowdenknows, at the royal command, enters one of his followers as pledge for a "bill" or claim of restitution on the part of England for the value of six horses stolen. The Treasurer to relieve the pledge within twenty days, and proceed against the thieves, ... 182

(283) The Lord Hume becomes good for a like bill to the relief of a person to be sent in pledge, and the Treasurer is to relieve the Lord Hume and prosecute the malefactors, ... 183

(284) In presence of the Queen, and at her express command, James Earl of Bothwell, on the one part, and George Lord Seytoun, on the other, agree, each for himself and his followers, to abstain from hostility to the other party until the 1st of February, . . 183

A like obligation until the 1st of February, the parties being the Commendator of St. Andrews and Cockburn of Ormiston, on the one side, and Bothwell, on the other, ... 183

November 12. (285) Instructions to the Lord James (afterwards Earl of Murray) for holding the Justice Court at Jedburgh on the 15th. Few of the persons responsible for their followers had appeared on citation. Those who appeared, and others furnished with "valentines" or intimations of persons to be rendered up to answer for crimes. Inquest where the responsibility is denied; the person denying to be confronted with the person named by him as responsible master. That the first set produced "with circumspect sight of suthfast assize and ditty" (indictment) "be presented to the justice, and execute with all possible diligence according to their demands." The responsible persons who have failed to be present to be sent to fortresses. So far as practicable, men of the "Incountry" to be put on assizes, as by assize of their countrymen manifest offenders are acquitted. If invasion by fire and sword, or the siege of strengths, be necessary, the Act to be as lawful as if authorised by special commission under the Great Seal. For whatsoever is done "by fire, slaughter, taking of goods, prisoners, or otherwise," no person to have action civil or criminal. Authority to communicate with the Wardens of England. Communication may be held, through secret agent, with fugitives or persons not to be safely approached. Whatever is done held to be lawful, ... 184

November 13. (286) Step in the process by the shipowners of Nantes, *cr.* 289, ... 187

December 2. (287) The Lord James reports his proceedings at Jedburgh in presence of the Queen, who approved all things done by him, . 188

December 4. (288) Certain of the responsible Border leaders confess that they have contravened the tenor of their bonds, ... 188

November 14. (289) Further proceedings in the case of the shipowners of Nantes, *cr.* 286, ... 188

December 11. (290) Leather scarce, boots and shoes dear, and the labour-

ing poor suffering. Proclamation against exporting hides during three years, ... 191

December 22. (291) Large assemblage of the Council and others "ratione conventionis." That order may be taken in the matter, no holder of kirklands to be disturbed before Whitsunday 1563. At a convention on the 14th, certain prelates had consented to give over to the State each a fourth of his revenue. Question if this fourth will be sufficient both "to sustain the ministers" and supply the State, and if not sufficient, a third or more to be taken up yearly till a general order made. Return to be made of yearly value of all benefices. Organisation for the return, ... 192

(292) Minute that the Archbishop of St. Andrews and the Bishops of Dunkeld, Moray, and Ross offered for a year a fourth part of their revenues, "and this they offered, and no further," 194

1561-62.

January 7. (293) Resumption of the case of the Nantes shipowners. The nature of the disposal of the ship and cargo having been heretofore dealt with in the pleadings as if it were plunder, there comes a requisition that Kennedy of Bargany produce an extract of a "pretended decreet," "given and pronounced by him as admiral-depute," finding the property at issue "to have been lawfully and justly taken" by Cant under letters of marque (see Minute, 9th October 1561), *cr.* 289, ... 195

January 24. (294) Additions to the Minute of organisation for return of benefices, ... 196

February 6. (295) Resumption of the case of the Nantes shipowners, *cr.* 293, ... 197

(296) The Tolbooth of Edinburgh ruinous and imminently dangerous to the neighbourhood; the Magistrates charged to have it taken down "with all possible diligence," and in the meantime to find accommodation for the judges and the administration of justice, 198

February 12. (297) Under the Minute of 22d December, of the beneficed persons only "a very small number of them has produced the said rentals, contemning therethrough not only her Graces ordinance," etc., "but also herself and her authority, like as they were princes and not subjects — express against reason, equity, and justice." Factors and chamberlains appointed to uplift all the revenues of the benefices for which returns are omitted. Those who have made returns not to have action against tenants for more than the rent returned, *cr.* 291, ... 199

(298) As flesh meat deteriorates at Lentern, and tempestuous weather has caused dearth, proclamation that none but those visited with extreme sickness are to eat any flesh before the 29th of March, under penalties against consumers and vendors, ... 200

Destruction of sheep by the tempestuous weather. Proclamation that no lambs be eaten during three years, ... 200

(299) Sir John Stewart of Traquair becomes surety for Sir Thomas Turnbull of Bethrule for the next day of trew, concerning the horses stolen from the Lord Gray, ... 201

February 15. (300) Imperfect results of arrangements under resolution of 22d December and 12th February. The necessary sustentation of the

preachers and readers to be provided for. Of those benefices duly returned the thirds to be taken; and where there are no or partial returns, the whole that is unreturned. As to these, instructions to the Court of Session that the "auld possessers" may be assured of the fruits, subject to the one-third deduction. The revenues within burghs of chaplainries and priories, and of priories everywhere, to be raised and applied by the Queen to hospitals, schools, "and other goodly uses." The suitableness of the priory edifices for colleges, schools, and hospitals. Proclamation that where these are undemolished they be upheld, and in the meantime supported from municipal funds, *cr.* 297, ... 201

(301) The Queen's advocate to take possession of the lordship of Abernethy and all that appertains to it, and keep it from George Douglas or any other claimant, ... 203

February 20. (302) Earl of Arran. Reference to treaty between the Sovereign and the nobles on the point that for anything done since the 15th March 1558, those called "of the Congregation," and those not so called, shall not reproach each other. He is required to observe this stipulation in his variance with the Earl of Bothwell. Question if the treaty applies, but as the Council say it does, and the Queen commands him, he will obey as a good subject, . . . 203

February 21. Declaration that the case comes within the treaty. Obligation taken by those present to be enemies to contraveners of the treaty, 203

February 28. (303) Supplementary to Act of the 15th as to disposal of thirds of benefices. Sets forth the manner in which the old possessors are asserting and enforcing preferable titles. Proclamation against, with full detail of the various classes of property and rights at issue. No person to give obedience to any title from the Sovereign or otherwise, dated earlier than the 1st of March next, under penalty of restoration, *cr.* 300, ... 204

1562.

May 19. (304) Prospect of a meeting of the Queen with the Queen of England. General approval, ... 206

May 21. (305) Ker of Cesford and his son appear and engage not to molest the Earl Bothwell in the house of Ancrum. Ormiston of that Ilk, who had taken possession of the house, to remove, and only leave a ploughman on the premises, ... 206

(306) Kenneth Mackenzie of Kintail required to give up the daughter of Macleod of "Harich," 207

May 26. (307) George Douglas becomes security for Turnbull of Burnhills entering in ward, ... 207

May 30. (308) Resumption of the case of the Nantes shipowners, *cr.* 293, 207

June 1. (309) Reference to proclamation issued soon after the Queen's arrival in Scotland, that pending a settlement by the Estates, no one should attempt alteration or innovation in religion, or attempt anything against the form "which her Majesty found publicly and universally standing at her arrival." Rumoured attempts at contravention "by innovating of the religion and ministration of the sacraments otherwise than by public form foresaid, whilk was at her Majesty's arrival." Proclamation against, ... 209

(310) The case of the Nantes shipowners resumed, . . . 210

June 1. Further proceedings in the same, *cr.* 306, ... 211

July 30. (311) The gold and silver coin of the country carried abroad, especially for wines. Desirable that the trade be restricted, so that the imports be chiefly by foreigners, who are bound to expend the price on exports from Scotland. Scales of prices of wines fixed. Foreign importers to invest the money in goods, and to take no money out of Scotland, ... 212

(312) Case of the Nantes shipowners resumed. Tender and citation of witnesses, *cr.* 310, ... 213

August 10. (313) The Kers and Scots promise to appear, and refer all disputes between them, including the slaughter of Walter Scott of Branxholm (Buccleuch), to arbiters, and if that cannot be arranged, to submit to the decision of the Queen in Council. Meanwhile to keep peace with each other, and join in the suppression of depredations, *cr.* 221-2, ... 215

(314) A saddler appears to testify that he was not, by Magistrates or others, required "to adjoin himself to the Congregation;" and a smith, that no one seduced him from his obedience to the Queen, "nor yet seduced him from his faith," 216

(315) Sym Scot promises to enter James Mawar to the Warden, 216

August 14. (316) Security found for Ker of Ferniherst appearing before the Council, ... 216

August 15. (317) The meeting between the two Queens. Still in prospect, though deferred. General approval, but would nowise counsel their Queen to commit herself in England, ... 216

(318) Advisable that a committee of Council be in constant attendance on the Queen wherever she may reside. Arrangement for attendance of four, chosen by rotation, *cr.* 252, ... 217

(319) Security found that John Fullarton appear to answer on a charge of attaching a false stamp or signet to a process of horning, . 218

September 10. (320) Sir John Gordon of Deskford under charge of assailing and mutilating the Lord Ogilvy, has broken ward and resisted the Queen's writ. Has also gathered a following, and having been, is again likely to become an oppressor of the poor people. The holders of certain strengths belonging to him to render them under pain of treason, ... 218

October 15. (321) If George Earl of Huntly fail to appear on the 16th, he is to be put to the horn, and order taken with his kin and followers, ... 219

October 13. (322) (Aberdeen.) Step in the case of the shipowners of Nantes, *cr.* 313, ... 220

October 26. (323) Certain Gordons and their retainers to enter themselves in specified towns to abide within a circuit of four miles, . 220

October 27. (324) Huntly and his force expected to march on Aberdeen, and the Queen and her force to pass forth to meet him. Feudal privileges conferred on the families of persons who may be slain. Reference to the precedent of Pinkie Cleuch and the war with England in 1557, ... 222

The Queen summons certain lords and gentlemen of the north to consult with them as to the rebellion of Huntly. A muster under the command of James Earl of Murray to attack the rebels and besiege their strengths, ... 222

December 3. (325) The case of the shipowners of Nantes resumed, *cr.* 322, ... 224

December 6. (326) Ker of Phernyherst, his two brothers, and their cautioner relieved from further pursuit of penal procedure against them, *cr.* 313, ... 227

(327) Application on the part of the inhabitants of Ayr and Irvine. If permitted to sell the wines brought in certain vessels at fourteenpence per pint will sell other wines at twelvepence, ... 227

(328) The coining instruments for striking a certain piece. Symbols and legends described. Instruction that the instruments be delivered to the Wardane of the Mint, "to be kept unused or printed with in time coming" (the Seton medal), ... 227

1562-63.

January 18. (329) Charge against the Commendator of the Abbey of Newbattle, that he turned certain persons out of their livings three years ago; that they are impoverished and in debt. Charged to pay them twenty pounds Scots in full satisfaction, ... 228

January 22. (330) The case of the Nantes shipowners resumed. Question as to validity of letters of marque in connection with the diplomatic relations between Scotland and Spain, *cr.* 325, ... 229

January 28. (331) Marion Carruthers had been presented to the Council with her position unaltered, "without any bond or contract of marriage, selling of her lands, or any other bonds or promises to be made by her in the meantime," and is declared to be at liberty, ... 233

February 1. (332) Marion Carruthers appears with the Lord Borthwick. Arranged that she is to abide in his family for forty days, and not to depart to Annandale or elsewhere under penalty of two thousand pounds. On the expiry of the forty days not to depart without advertisement, that the Queen may take order, ... 233

February 6. (333) The case of the Nantes shipowners resumed, *cr.* 330, 234

February 11. (334) The Act that people not to be removed from Kirklands set in feu since the 6th of March 1558, but should hold them till Whitsunday 1563, that order might be taken in Parliament. No Parliament having been held, the arrangement to continue until Whitsunday 1564, ... 234

(335) Order against eating flesh in Lentern renewed (see 298), . 235

1563.

April 20. (336) Reidheugh of Cultvegrane becomes surety for certain persons entering in ward within the sheriffdom of Berwick, . . 236

June 18. (337) Ship arriving in the harbour of Whithorn in condition raising suspicions of piracy, and the crew declaring that they are English subjects commissioned by the Huguenot party in France to apprehend and take as lawful prize all enemies to their religion, and their goods. One of the crew allowed to go to England to procure evidence of the statement. Order taken for detention and safety of the vessel and contents in the meantime, ... 236

(338) The case of the Nantes shipowners resumed, *cr.* 333, . . 238

(339) Robert Eliot of Redhaugh undertakes leally and truly to keep the House of the Armitage, and redeliver it on demand. It is to be accessible to the keeper of Liddisdale, and he is to act as the keeper's deputy, and both to co-operate in suppressing crime and disorder, ... 239

William Douglas becomes surety for the fulfilment of the obligation, ... 240

July 8. (340) John Maxwell of Nether Pollok becomes security for Sir John Maxwell of Terregles that an English ship and cargo delivered to him by the Queen's order shall be duly forthcoming, ... 241

July 13. (341) An arrangement between James MacConneill of Dunivaig, and Farquhar M'Alister of Sceirhow as to the adjustment of the possession and titles of certain lands. Of consent, registered for execution in the Books of the Council, ... 242

August 19. (342) Application by Sir John Maxwell of Teregles as to the ship referred to (July 8th). The Lord Scrope claims the ship and cargo as fair capture by an Englishman from France. Given up to him on assurance that he will satisfy all claims on the part of France, ... 242

August 20. (343) Secretary Maitland of Lethington produces a letter from Sir John Forrester, Warden of the Middle Marches of England, as to adjusting a meeting of Commissioners of both realms. The Secretary instructed to answer it. The Secretary's letter at length, with the adjustment of details. The Commissioners to meet each other in the Marches, and adjourn to Carlisle or Dumfries, as may be settled by lot or consent, ... 243

September 4. (344) John Gordon of Lochinvar becomes surety that John and William Dunbar shall remain in Edinburgh until the disposal of charges against them, ... 245

(345) Robert Hume, natural son of Alexander Hume of Heuch, complains that his father having invested him in the lands of Heuch and others, Patrick Hume, younger of Pollock, with a following of forty persons, had forcibly invaded and taken possession of the domain. Parties appearing, the Council order re-instatement of Robert as having ostensible title, reserving to Patrick to bring any evidence to the contrary, ... 245

September 13. (346) In times bygone, beyond the memory of man, the Abbots of Dunfermline were in use to keep up the parish church there. It has fallen into ruin, so that it is unsafe to hold worship within it. Particulars of its condition. The Abbot and Sacristan appealed to without effect. Parties cited along with Robert Pitcairn, Commendator of the Abbey, who does not appear. He is decerned and ordered to uphold the building, ... 246

(347) The parish kirks, partly by sloth and negligence of the parishioners, and partly by oversight of the parsons, found to be fallen into decay, so that preaching, the sacraments, and the reading of the common prayer ceases, the people becoming without knowledge or fear of God. To be restored, two-thirds at the expense of the parishioners, and the remaining part at the expense of the parson. Organisation for enforcement, ... 247

September 22. (348) The Clangregor assemble in great numbers, burning, destroying, and slaying and laying districts waste. Certain lords and landowners appointed to deal with them in certain assigned districts. To apprehend them and bring to justice, to pursue them with fire and sword, besieging their strengths. Indemnity for all violences committed, and arrangement for further special powers that may be required, ... 249

December 14. (349) Complaints against the Comptroller as to disposal of

fruits of the Charterhouse near Perth. Deducting the Queen's third and a pension claim, the remainder withheld to the prejudice of the Prior, and the poor aged and sick brethren thrown on the charity of godly and peaceable persons, to the scandal of the Queen's government. Defence: the difficulty of recovery from the tenants. Question continued to the 29th, ... 250

(350) M°Connel of Dunvaig and M°Lane of Dowart cited each to produce the writs on which he claims the Ryns of Islay, . . 251

December 28. (351) Inordinate proceeding of the Magistrates of Edinburgh in decree against George Hume of Aytoun. On the statement that they are to put it in execution, directed to desist until further orders, ... 252

(352) Justice frustrated by the cessation of the consistorial jurisdiction of the Prelates. Committee appointed to make provisional arrangements by appointment of commissaries, ... 252

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1563-64.

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January 10. (355) The Earl of Atholl having given assurance for his people, they are exempted from the proceedings against the Clangregor and their abettors, ... 256

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January 12. (356) Magistrates of Edinburgh cited to appear to answer for the proceedings against Hume of Aytoun. The "most part" of the Bailies appear. Order that the proceedings be annulled and deleted from their Books, ... 258

January 31. (357) Certain Elliots to be entered before the Warden of the Middle Marches, on charges in English bills, ... 259

February 19. (358) Surety by Forbes of Tolquhon for the warding of the son of Gordon of Lesmore discharged, ... 259

February 28. (359) Orders against certain Scotts for restoration of sheep they are charged with lifting from Elliots on the lands of Balyelly, . 260

March 1. (360) The Earl of Cassilis and Campbell of Loudoun, Sheriff of Ayr, attend to make up quarrels. The Sheriff binds himself to keep the bond of manrent by his family to the Earl's. Both parties bind themselves to abandon enmities and stand in amity and friendship, and agree to their respective kin and followers meeting in the town of Ayr to receive each other in heartiness, tenderness, and friendship, ... 261

(361) Campbell of Loudoun and Craufurd of Lefnoreis appear, and

resume an engagement for peace with each, including the kin and followers on either side. A transaction regarding certain lands and mills, to be redeemed by Craufurd on payment of sums secured on wadset. Letters to be directed by deliverance of the Lords of Session to complete the transaction. Both parties renounce all hereditary hatreds and rancours towards each other, ... 261

(362) Obligation that any question arising between the parties as to the redemption be referred to arbiters named, ... 263

March 2. (363) Wallace of Craigie and Hamilton of Sanquhar refer to certain arbiters named, all actions, causes, quarrels, controversies, and debates between them, ... 263

(364) John Preston, burgess of Edinburgh, becomes surety for certain Elliots, that the sheep taken by the Scotts from the lands of Balyellie shall not be meddled with by thieves or others. The obligation to be registered for execution, ... 264

(365) Obligation (registered for execution). Kennedy of Bargany, and Boyd of Penkill, with their kin and followers, are to keep the peace towards each other until the 10th of May, so that until that day either may repair to their own houses, lands, and possessions, or elsewhere, ... 265

SEPARATE ENTRIES.

1561.

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1562-63.

March 17. (367) Murmured that certain persons intend to contravene the proclamation, by innovations on the religion, and ministration of the sacraments, and raising tumult. Proclamation renewed, *cr.* 366, . 267

1564.

June 29. (368) The Keeper of the Signet ordained to pass letters of this date, in terms of the ordnance of 17th March 1562, *cr.* 367, . . 268

1563-64.

March 8. (369) Commission to the Earls of Argyle and Atholl for the suppression of the M'Gregors, each with an assigned district, . . 269

(370) In any actions in the Court of Session where persons required in this service are interested, proceedings suspended until the 20th of May, ... 270

March 22. (371) Campbell of Glenurchy binds himself and his followers, when in pursuit of the M'Gregors, not to sorne on or oppress the lieges in Stratherne or elsewhere. To give up any of his followers charged with contravention, ... 271

(372) Remonstrance by the lords and gentlemen of Stratherne that the commission against the M'Gregors be discharged, at least as to their own district. Refused, but precautions against any parties, who are not guilty as accessories or harbourers, suffering, . . . 271

1564.

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April 20. (374) The question between M'Connell of Dunyvaig and M'Lane of Dowart as to the Ryns of Islay, resumed and continued, . . 272
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April 28. (377) On a Royal warrant to arrest a ship arrived at Dundee suspected of piracy, the Provost produced the master, who stated that he had commission from the King of Denmark, at war with Sweden, and he had taken the vessel of a subject of the Earl of Embden in alliance with Sweden. Offers to find security for anything in the matter affecting the peace as between Scotland and Embden. Security given in general terms, ... 276
May 8. (378) Reader for reading prayers in the Kirk of Kinghorn violently ejected by the Laird of Seyfeld. Ordered to replace him, . . 277
May 31. (379) Lord Hume, Warden of the East Marches, obtains increased emoluments, his charge being difficult and cumbersome, . . . 278
(380) Order of business in the Exchequer regulated, . . . 278
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August 11. (383) Decay of woods by the cutting and by stripping the bark. Proclamation in certain northern counties against selling timber or bark except in open market. Penalties for contravention, . 279
August 30. (384) Sureties to produce before the Council Alexander Forbes of Auchintoul, ... 280
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September 28. (386) Sir Walter Kerr of Cessford, Warden of the Middle March, complains of the laxity of attendance, and finds himself of no greater power than a common man though he represents the royal authority. Proclamation that the barons, landed gentlemen, freeholders, substantious yeomen, and others attend on days of trew on the usual summons. Names of persons to whom special missives sent, 282
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October 7. (390) Scarcity of horses owing to their exportation to France. Proclamation against exporting, ... 286

October 10. (391) James Glen of the Bar complains of outrages by the Lord Semple, who is at feud with him and holds a commission of justiciary for Renfrewshire. The commission suspended for inquiry, . 286

(392) The thirds of benefices diverted from their purpose by the importunity of persons seeking their own private lucre, and abusing the Queen's liberality. Come to be matter of small value, to the loss of the revenue, while the ministers get no payment of their stipends. All gifts out of, and discharges to those liable for the thirds cancelled. The Queen to grant no more without the approval of the Council, ... 287

October 16. (393) George Buchanan had a life gift from the fruits and emoluments of the Abbey of Crossraguel secured on the temporalities and estates. Withheld by the Earl of Cassilis, who has taken possession. Both parties attending, order to put Buchanan in possession, and remit otherwise to the Lords of Session, ... 288

October 18. (394) Complaint, Turnbull of Hassenbank against David Elliot for masterful reif and stowth. The land where Elliot lives claimed by two owners. Both ordained to produce him, ... 289

October 20. (395) The Chamberlain of Orkney gives assurance that a ship seized for piracy be forthcoming, ... 289

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November 3. (399) Craufurd of Lefnoreis and Shaw of Haly agree to present any of their followers under accusation before the Justice or the Sheriff of Ayr, ... 292

(400) Menzies of that Ilk complains that Campbell of Glenorchy has not removed his followers from Loch Rannoch. Matter continued, *cr.* 396, ... 292

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(401) Obligation by Campbell of Glenurchy as cautioner for M'Rannald of Keppoch keeping good rule, etc., registered for execution, ... 294
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(408) James Douglas of Drumlanrig charged to produce his son, who was at the horn for not finding surety on accusation of slaughter and other offences, ... 300
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(411) Complaint of Bailie Law of Glasgow against William Hiegate, common clerk thereof, for despiteful and injurious words. Denied. Referred to proof, ... 302
(412) Gordon of Lochinvar and Campbell of Ary having become bound, with Lord Cassilis on the other side, to keep the peace with each other, complaint of outrage by followers of Cassilis. The Earl required to produce the offenders, ... 302
December 19. (413) Hamilton of Sanquhar finds sureties to keep good order, and no ways invade Wallace of Cragie and his friends, . . 303
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September 20. (766) Dearth in the land—all licences given by the Queen for exporting victual revoked, ... 571
(767) Exemptions to pass abroad granted by the Queen revoked, 572
(768) Proclamation of muster to attack Dunbar, *cr.* 746, . . 572
(769) Thirds of benefices and other ecclesiastical revenues for the sustentation of the ministry alienated by the Queen, and though an Act by her authority prohibiting and revoking alienations, the evil continued—a strict levying ordered, ... 573
September 22. (770) Order to render up pikes left at Carberry Hill, . 575
September 23. (771) Enforcement of Act for reparation of parish kirks, 575
(772) Patrick Hepburn and others who had withdrawn from the Castle of Dunbar charged to ward themselves, *cr.* 758, . . . 575
(773) Bakers, brewers, and fleshers of Haddington to supply the besiegers of Dunbar on reasonable charges, ... 576
September 25. (774) Prohibition of supplies to the garrison of Dunbar, *cr.* 772, 773, ... 576
(775) Dunbar of Cumnock with his son, Robert Innes of Invermarky, and John Innes, called John the Sweetman, to appear and answer for disturbing the country with their feuds, . . . 577
October 7. (776) Dispute about the possession of "one aughteen part" of the land of Kingsbarns in Fifeshire. Armed assembly of 400 people, and ringing of the common bell. The Bailies discharged, and others to be elected, ... 577
(777) Proclamation, counties of Perth and southwards to muster for the quelling of Border outrages, ... 579
(778) The Magistrates of certain Border towns to supply the troops with baken bread, brown ale, and other provisions, . . 580
October 8. (779) Band by certain Galloway men discharged, and band taken to acknowledge the coronation, ... 580
October 17. (780) Allan Watson, burgess of St. Andrews, being compelled by stress of weather to touch at Cromarty his vessel was seized by Bothwell. The ship retaken by those in pursuit of Bothwell and brought into Dundee, "being void and desolate of the said Earl and

his servants except ane cook." The captors will not give up the ship, and intend to sell it. Order to give up on payment of £30, . 581
October 19. (781) Complaint of abuses in the Corporation of Cupar, the offices having got into the hands of a small body through the old Council electing the new. Pleaded on the other side, that were the election given to the multitude, the old loveable privilege and custom of the burgh would be perverted, and factious men put in the seat of justice. A compromise by interposition of the Council, . . . 582
October 23. (782) Dispute as to the teind sheaves of Newhall, . . 584
November 1. (783) People of the "Inland" propitiating Border thieves, and paying black-mail to them to be counted guilty of treason. To give all aid for bringing the thieves to punishment. When any of them come over the "Swires" into the "Incountry," all the lieges there are to "cry on high, raise the fray, and follow them as well in their inpassing as outpassing, and follow them and the goods reft and stolen by them," under the penalty of being pursued and punished as if they had "committed the theft, reif, or enormities themselves," . 585
November 6. (784) Thomas Scot of Cambusmichael had been executed for the murder of Rizzio. The Queen had granted the escheat to his widow and children. He had however in his keeping 490 merks belonging to his brother's children, "the poor bairns of umwhile Andrew Scott, now baith faiderless and motherless." The case continued, and the widow and children of Thomas required, under penalty of horning, to appear before the Council, bringing with them the gift of escheat, ... 586
(785) Persons become surety for Douglas of Cavers and other Teviotdale leaders, ... 586
(786) Rutherfurd, younger of Hundeley, to remain in ward, . 587
(787) Surety that Mathew Fraser appear before the Council, . 587
(788) Surety that Turnbull of Hassendenbank remain in ward, . 587
(789) Entries of certain Elliots for whom Sir Walter Scott of Branxholm was surety, ... 587
November 7. (790) Complaints of raids into England by the Middle and West Marches. Inconvenience and danger, but the Regent desires the local powers to assist him before resorting to other means. Dame Janet Beton, Lady Buccleuch, and others charged to produce followers named, ... 587
November 10. (791) Claim on Orkney revenues by the Commendator of Holyrood House resisted, and payments inhibited, ... 589
(792) Complaint by Mynart Freis of Sweden of the capture of his ship the Bonaventure, ... 589
November 12. (793) Question as to the kindly tenants of east and west mills of Newbottle. Parties cited, ... 590
(794) Question as to possession of the lands of Cramond Regis, and cross actions. Parties cited, ... 590
(795) Surety for entries to the Warden of the Middle Marches, . 591
(796) Andrew Lamb, dweller in Leith, having acquired the lands of Pilmure in Haddington, his son, while watching the shearers, was attacked and wounded by Oliver Sinclair with a band of armed followers. Sinclair defaulting charged to appear on pain of horning, . 592
November 24. (797) The holders of the peel of Westhouses required to render it, ... 593
November 26. (798) Cowardly and shameful murders by fire-arms, which

the stoutest are unable to defend themselves against. Prohibition to wear or use culverings, dags, pistolets, or such other fireworks. Those transgressing to be treated as if they had committed recent slaughter with their hands. Exception to the King's troops and attendance at wappinshawings, ... 593

November 27. (799) William Youston, burgess of Edinburgh, demands that his wife may be produced by her parents. They deny the "resetting of the said Alice, being rebel at the horne." Continued for proof, ... 594

December 1. (800) Surety to certain Cunninghams as skaithless on the part of Montgomery of Langshaw, ... 595

December 4. (801) Commotions in Angus from feuds between Crichton of Ruthven and Ramsay of Banff. Parties cited. Proclamation at Forfar and Perth to keep the peace, ... 595

December 9. (802) Douglas of Drumlanrig takes up the surety for the Cunninghams, *cr.* 800, ... 596

December 13. (803) A Parliament to assemble "for treating and concluding upon the affairs tending to the glory of God, the furthsetting of our Sovereign Lord's authority, and establishing good and needful laws." Injunction to keep good order, ... 596

December 22. (804) Penalties levied on the corporation of Dundee, on the occasion when the Queen being there showed herself highly offended, because they would not join her force passing westward in September 1565. The penalties had to be partly borne by corporation officers, who believed that they were thus sufferers for their favour to the party opposed to the Queen. The corporation directed to convene and make inquest of the sums actually so paid, ... 597

December 27. (805) Earl of Huntly appears and produces the Great Seals, 598

(806) Blair of Friartoun finds security to receive his wife and entertain her honestly as becomes an honest man to do to his wife. Detailed arrangements, ... 598

December 30. (807) A large attendance. The Regent seeks counsel on the general policy to be held. Approval of his holding justice-ayrs all over the land, and the Lords to co-operate in bringing culprits to justice, ... 599

(808) Recommend the Regent to deliver to England certain persons filed in a bill, ... 599

(809) Obligation to enter William Ormiston, ... 599

(810) Recommend that Hay of Tallo, Hepburn of Bolton, Dalgleish, and Pourie, in prison on charge of the King's murder, be brought to trial, ... 600

(811) The case of the Scotts. Four hundred merks to be paid to the children within four years, and in the meantime they are to be maintained on the interest of that sum; *cr.* 784, ... 600

(812) Beatrice Livingston having an annuity of forty merks on the fruits of the Abbey of Paisley, and there being a new collector, a new order for payment required. On inquiry the order granted, . . 601

December 31. (813) The Earl of Huntly delivers two Great Seals, . . 602

(814) Tuesday and Thursday weekly assigned for reading bills—Saturday for decernings in the law of oblivion, ... 603

(815) Dispute about the escheat of John Nicolson's estate. Remitted to the Court of Session. Nicolson being in possession, to find security to implement the decision, ... 603

1567-8.

January 3. (816) The Provost of Dundee becomes surety for John Nicolson, ... 604
January 9. (817) Citizens of Dundee acquitted of a charge of tumult in Edinburgh, ... 604
January 15. (818) M'Dowell of Stedrig allowed to visit France for the benefit of his health, ... 605
January 20. (819) Certain Montgomeries cited and not appearing put to the horn, ... 605
January 20. (820) Dispute arising out of a sum having been advanced for the ransom of an English captive, and a belief that as an interpretation of the new treaty of peace, the captive will hold that he should be free without ransom. Remitted to the Court of Session, . . 605
January 24. (821) Surety—Elliot of Cavilling to remain in ward on this side of the Tweed, ... 607
January 31. (822) Case of the kindly holdings at Cramond Regis resumed, *cr.* 794, ... 607
February 7. (823) That order be taken with the Commendator of Aberbrothok, who is on the point of leaving the country, . . . 608
(824) For all the zeal and success of the Regent's government in the cause of order, the army requires still to be maintained. Understand that people in the districts are appropriating the lead on the cathedrals of Elgin and Aberdeen. Arrangements made for stripping off the lead, and disposing of it in the maintenance of the troops, ... 608
February 24. (825) The collectors of the revenue service should have rendered their accounts to the auditors of Exchequer, so that the ministers and their collectors may know what is due to them—remedies, *cr.* 769, ... 610
(826) Tullybardin the Comptroller, in presence of the Council, states the sums received by him, ... 611
March 3. (827) In the spring flesh-meat falls out of season. None to dare to eat flesh during the existing Lent, nor in the like period in time coming, ... 611
March 4. (828) Registration for execution of a contract between the King's government on the one hand, and Cornelius de Vois, Dutchman, on the other. The gold resources of the country have been neglected. A monopoly in the working of gold for nineteen years granted to de Vois, under the special protection of the Government. He is to employ as many of the natives of the country as he pleases, but not above twenty strangers. Arrangements for the proportions to be rendered to the sovereign according to the success of the undertaking, ... 612
March 15. (829) Justice-ayrs begun at Dumbarton, but lack of attendance—measures for expediting, ... 614
March 18. (830) Complaint by George Watson, Exhorter of the Kirk of Fintry, as to the withholding of the profits of his glebe, manse, and yards, ... 615
(831) John Hamilton, brother of Sir Andrew Hamilton of Goslington, with certain others, all freehold men of Sir Andrew's, having murdered Gavin Semple, Sir Andrew liable to produce them for justice, ... 616

1568.

April 5. (832) Complaint, Hay of Mukkal, and Nisbet of Dalzell, having, the one as captain, the other as lieutenant, maintained a force of horsemen on the Border, have been unable to recover their expenditure. Project for levying the cost. As people abstain from buying goods sold in poinding, they are to be appraised, the party liable having the preference in a purchase, ... 617
April 10. (833) John Kennedy, town-clerk of Aberdeen, appears—proceedings against him suspended, ... 619
(834) Montgomery of Langshaw charged with outrages in violation of the surety found by him, doing his best to trouble the country. Parties appearing—matter continued, *cr.* 595, . . 619
April 18. (835) The Magistrates of Glasgow appear to answer for their conduct towards Janet Swan, who "is troubulous and does wrang by way of deid, under colour of daftness and fatuity," 620
April 21. (836) Surety that Campbell of Loudon, Sheriff of Ayr, remain in ward near Blackness, ... 621
April 27. (837) The Sheriff-Depute of Lanark appearing to answer for laxity in pursuit of rebels, answered that one of them was apprehended and delivered to the chamberlain of Hamilton Castle. The chamberlain ordered to present him, ... 621
May 3. (838) Escape of the Queen from Lochleven—a muster proclaimed, 622
May 10. (839) Case of Montgomery of Langshaw and the Cunninghams, *cr.* 834, ... 623
May 16. (840) The Regent to take the field with his Majesty's displayed banner—proclamation to meet at Biggar, ... 624
May 19. (841) Proclamation after the battle of Langside. Lieutenantry to Lords Glencairn and Semple to intercept fugitives seeking refuge in Dumbarton, or otherwise, ... 624
May 24. (842) Proclamation to render castles and strengths, . . 625
(843) Robert Lord Sempil to seize and hold the fortalice of Boghall, ... 626
(844) The fortalice of Cochnocht to be taken, ... 627
(845) Also the fortalices of New Werk and Barr, . . . 627
June 1. (846) Archbishop of St. Andrews cited and not appearing, put to the horn, ... 628
(847) The Bishops of Murray and Dunkeld ordained to remain within Edinburgh, ... 629
(848) Renewal of proclamation to assemble at Biggar, . . 629
June 19. (849) At Dumfries—certain persons becoming surety for others entering in ward. Certain persons allowed to depart, . . . 630
July 6. (850) Further sureties, ... 631
(851) George Nisbet of that Ilk arraigns Hume of Wedderburn for invading him with a body of armed followers, ... 631
July 23. (852) Surety for appearance of Captain Blacater, . . . 632
August 1. (853) Earl of Crawford charged to appear, ... 633
August 2. (854) Also Laurence Lord Oliphant, ... 633
August 5. (855) General proclamation that all remain in dutiful obedience to his Majesty, ... 633
(856) Inducement to the friends of those cited for treason to come forward with offers, ... 634
(857) The bells of Kirkpatrick to be delivered to Lord Semple, . 634

August 6. (858) Sureties—the Laird of Stonebyres to appear, . . 634
August 10. (859) The arrangements with the Earl of Atholl and others about the mines of Glengonar and Wenlock. Charge of failure to weigh and account for metals extracted according to contract, and apparently to defraud our Sovereign Lord. Order for a settlement with the Thesaurer, *cr.* 661, ... 635
(860) Napier of Merchiston finds surety to answer before the Council, ... 637
August 14. (861) Question as to the escheat of Ormiston of Westhouse, who had been put to the horn, but subsequently pardoned, . . 637
August 16. (862) The Archbishop of Glasgow and Commendator of Kilwinning not appearing on citation, put to the horn, . . . 638
August 20. (863) For like reason Stewart of Luthre put to the horn, . 638
August 23. (864) Bailie of Lamington finds surety to remain in ward with Lord Lindsay of the Byres, ... 639
(865) Surety for others remaining in Edinburgh, . . . 639
September 7. (866) Surety for the entrance of Sinclair of Auchinfranco, 640
September 8. (867) Captain David Moncur finds surety to depart to Denmark, ... 640
September 9. (868) George Hume and John Cant, jewellers in Leith, who had been sureties for the appearance of Captain James Cullen, and failing to present him and also themselves to appear; execution against their property by apprising and poinding, ... 640
September 6. (869) Acknowledgment by the Regent of receipt from Lord Morton of "ane silver box owergilt with gold, with all missive letters, contracts or obligations for marriage, sonnets or love ballets, and other letters contained therein, sent and past betuix the Queen, our said Sovereign Lord's mother, and James, sometime Earl of Bothwell," 641
September 16. (870) Directions to seize the fort of Dunglass near Dumbarton, ... 641
September 18. (871) Proceedings on failure of securities to produce Forbeses of Monymusk and Pitsligo, ... 642
September 21. (872) Security to enter Thomas Todenar burgess of Jedburgh, ... 643
(873) Cessation of the Council, on account of absence in England, till February 1 [the meetings at York and London], . . . 643

1568-9.

February 12. (874) The proceedings of the representative of Scotland at the conferences in England approved, ... 644
February 14. (875) Proceedings against the rebels—but in the first place certain Lords appointed to reason with them with a view to pacification, ... 644
(876) Proclamation of muster, ... 645
February 16. (877) Earl of Atholl and others liable to be attacked by Huntly—authority to retaliate and make war on him and his country, ... 645
March 2. (878) Commission to attack Earl Craufurd, Lord Ogilvy, Carnegy of Kinnaird, and others in Forfarshire, as allies of the enemy, and to seize their houses and strengths. Indemnity for things done, 646
(879) Provost of Dundee to seize the house of Kinnaird, . . . 647

March 3. (880) The Lord Glammis to receive the house of Kinnaird from the Provost, ... 647
March 8. (881) Sureties for Alexander Stewart that he hold the Castle of Blackness for the King, ... 648
March 13. (882) The communing at Glasgow, the Regent and the nobility with him on the one part; and on the other the Earl of Cassillis, the Lord Herries and Abbot of Kilwinning, for the Duke of Chatelherault and his followers, ... 649

1569.

April 3. (883) The barons and landed men of the Middle March explain that though at the desire of the Regent, in an emergency they had sent a force of horsemen to Hawick, that this is not to be held a precedent of duty, ... 650
(884) John Edmonston of that Ilk gave surety along with certain Kerrs, in April 1568. He is refused the relief promised for undertaking the surety. Relief ordered on pain of horning, . . 651
(885) Band of loyalty to the King by subscribing barons, landed men, and gentlemen of the shires of Berwick, Roxburgh, Selkirk, and Peebles, and the Magistrates of the burghs in these shires, . . 651
(886) Statute by the Regent in the King's name, with concurrence of the Warden and gentlemen of the Middle March, that there shall be no toleration of plundering in England. Also that no Scotsman shall till ground in England, and no Englishman dwelling in England shall be permitted to till in Scotland, ... 653
April 15. (887) Duke of Chatelherault to be warded in the Castle of Edinburgh, for default in performing his part in the pacification of Glasgow, ... 654
(888) Band of loyalty and obedience to the King, with copies of the signatures, beginning, Huntly, Craufurd, ... 654
April 9. (889) The murder in Dundee of James Ramsay, tutor of the Lowis. The Lord Grey charged to produce the persons guilty, . 655
April 20. (890) Proclamation. The fencible men of the sheriffdoms of Banff, Aberdeen, Kincardine, Forfar, Perth, Fife, with the stewartries of Stratherne and Menteith, to muster at Brechin, provisioned for thirty days, ... 656
April 21. (891) Surety that Congilton of that Ilk shall appear to answer all charges against him, ... 657
April 26. (892) Sinclair of Roslyn finds surety to account for any goods that may have been intromitted with by him or those at his command. Further adjustment by the parties, ... 657
(893) The names of the heralds, pursuivants, macers, extraordinary pursuivants, and messengers elected and admitted by Sir David Lindsay, Lyon-King-of-Arms, with the Shires among which they are divided, ... 658
(894) Royal letter to the Lyon headed "Rex." Understanding how he has in his department "tane good order and made reformation," "ane thing very honorable to us, our realm, and lieges, and common weil." Charges to make no alteration on the orders, . 660
(895) To the Warden of the Middle Marches, under orders by the Regent. Borderers find security that they shall obey the laws, under the penalty each of 200 marks. Given in at Hawick on the 5th

May, in presence of the Warden and Sir Walter Scott of Branxholm. Copies of all the signatures, each with the forfeit-money opposite, . 660
May 6. (896) St. Andrews. Conditions on which the Lords Craufurd and Ogilvy are admitted as liege subjects of the King, . . . 662
May 13. (897) Conditions on which Huntly is admitted, including compensation for the damage done, and satisfying "all persons scaithed or hurt" by his "serving as pretended Lieutenant to the Queen's Grace our Soverane Ladies mother," 663
May 15. (898) Surety by Cockburn of Ormiston that his effects shall be at the Regent's demand, ... 665
May 16. (899) Lest the conference at St. Andrews should create doubts, proclamation that the muster at Brechin is to be held, *cr.* 890, . 665
June 3. (900) Dunnottar. General proclamation on the pacification, and invitation to persons injured to make their claims, ... 666
(901) Terms of submission by Lachlan MacIntosh of Dunnachtan. As separate from the obligation of compensation by Huntly, he undertakes for special mischiefs inflicted by himself, "ane ox for an ox, ane cow for a cow." The remission includes all persons of the Clan Chattan, "unlandit or beneficit, and nocht dwelland upon my Regents proper lands," 668
June 7. (902) Aberdeen. The troops to pass on to Inverness, . . 669
(903) Separate terms to John Grant of Frewchquhy, the Laird of Grant, ... 669
June 13. (904) Elgin. Obligation, Huntly to Y M'Kay of Far for 4000 merks, ... 670
June 16. (905) Inverness. Barbara Ogilvie, widow of the Laird of Cullard—question as to the property in two silver cups, . . . 670
(906) Questions as to the justice of certain small exactions on tenantry customs, ... 672
(907) MacIntosh of Dunnachtan secures MacRanald of Keppach in the lands held of him, ... 672
June 21. (908) Sureties to enter persons, ... 672
(909) Torquil MacLeod, on satisfaction given, obtains letters of "slains" or forgiveness, of the wife and kin of John MacAnemoir, . 673
June 24. (910) Proceedings for collection of arrears of revenue from the priory of Pluscardin, ... 673
(911) Settlement of a claim by Elizabeth Innes, wife of Peter Winsister of Ardtrail, ... 674
(912) Further sureties, ... 674
June 30. (913) Principal, Sub-Principal, and Regent of King's College, Aberdeen, refusing to sign the Confession of Faith, and the Acts as to religion, deprived, ... 675
August 24. (914) Surety for Patrick Blacater, ... 676
May 5. (915) Surety and lawburrows for John Scrimgeour and others, . 676
June 5. (916) MacIntosh of Dunachtan enjoined peaceably to enter certain Monros on their lands, ... 676
(917) Arrangements for collecting and employing a contribution for "mending, theking, and reparalling the Cathedral Kirk of Murray" (Elgin), so as to be "a convenient place to convene the people for hearing the Word of God," 677
(918) Robert Morris, burgess of Campvere, comes to Scotland to obtain repayment of advances made by him to the deceased Earl of Sutherland at the time of his exile and banishment in the parts of

Flanders. The matter adjusted with those in charge of the estates, ... 678
(919) Morris having also a charge against John Chene, who had been a student in Louvane, he is charged to appear, ... 679
(920) Alexander Fraser of Philorth pleads innocence of the slaughter of George Bruce. Remit to the Justice-Clerk to discharge proceedings, ... 679
July 9. (921) Aberdeen. Dispute as to a half net's fishing of a pot of the water of Dee, ... 680
(922) John Philip, "ane minister of Christ's Kirk," complains of withholding of his pension by the Abbot of Kinloss, notwithstanding he was one of them that "remainet in time of Papistry and rage of Antichrist," and when "it pleased the Almighty to bridle and muzzle up the mouth of Satan," he entered the Lord's vineyard and planted the Gospel of truth. The Abbot ordered to pay to Philip his "monk's portion," 680
(923) David Fraser, pursuer for the value of the ransom of a prisoner, viz., "four pounds money, twa sarks, and ane pair of plaids." He refers the matter to oath, which, and the decision, are against him, ... 681
(924) Gordon of Haddo ordained to give up a precept of horning, ... 681
(925) Security to enter Robert Eliot, *alias* Hob of Thorlishope, . 682
July 11. (926) Abernethy of Balcorse charges the Master of Forbes and others with a violent and predatory attack on his tenants and land. Decree for restitution, ... 682
(927) Discharge to the community of Aberdeen for any acts done under the ascendency of Huntly, ... 683
July 20. (928) The reader of the kirk of Monikie complains of being warned to flit from his manse and glebe. The matter remitted to Maule of Panmure and Auchinleck of that Ilk, ... 684
(929) The matter of Philip and the Abbot of Kinloss remitted to the Session, *cr.* 922, ... 684
(930) Surety for Guthrie of Kynblawchmont, ... 685
July 21. (931) Question of fishings on the water of Tay, between Lord Gray and the Lord Lyon, ... 685
(932) Gilbert Gordon, minister of Monifieth, complains that Lovell of Ballumby masterfully and violently broke in on his manse and glebe. Lovell ordained "of his own good will and consent" to desist from further attack, ... 685
(933) Surety for Lovel of Ballumby, ... 686
(934) William Glendy on a claim against the Earl of Craufurd who had been long at the horn. Parties directed to come to terms, 686
July 25. (935) Question among Wedderburns, citizens of Dundee, the Magistrates present. Submitted to the Regent's arbitration. His decision, ... 686
(936) Proclamation against fairs on Sunday, and at any time in Kirks or Kirkyards, *cr.* 296, ... 687

REGISTER

OF THE

PRIVY COUNCIL OF SCOTLAND.

ACTA 1545-1569.

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[Liber Secreti Consilii incipiens Quinto Junii anno m.v^{c}. Quadragesimo Quinto.[1]] 1545.

Presente, Domino Gubernatore.[2] Sederunt. Cardinalis Cancellarius.[3] Episcopi—Candidecase,[4] Orchadensis.[5] Abbates—Paslay,[6] Culross.[7] Dominus Setoun. Clericus Registri.[8]

The quhilk day in presens of my Lord Governour and Lordis of Counsel, comperit Alexander Dunbar of Cumnok Sheriff of Elgin and Forres, and of his awine consent hes bundin and oblist him to deliver to my Lord Governour, or sic utheris as his grace sall depute hereto, the hous and place of Ternway, within xii dais nixt efter he be chargit thereto.

The samyn day Elizabeth Countes of Murray, of her awine consent hes promist bundin and oblist hir to abyde at the consel and command of my Lord Governour my Lordis Cardinal and Ergile, quhat scho suld do towart Alexander Dunbar of Cumnok in all behalffis.

[1] This title and date are not in the original record, but have been supplied from a transcript of this part of the Register, made by direction of the late Thomas Thomson, editor of ten volumes of "The Acts of the Parliaments of Scotland," and of other National Records.

[2] The Regent, James Hamilton, Earl of Arran.

[3] Cardinal David Beaton, Archbishop of St. Andrews, and Lord Chancellor.

[4] Andrew Durie, Bishop of Galloway.

[5] Robert Reid, Bishop of Orkney.

[6] John Hamilton, Abbot of Paisley, Keeper of the Privy Seals, and Treasurer, afterwards Archbishop of St. Andrews.

[7] William Colville, Abbot of Culross.

[8] Sir James Foulis of Colinton, Lord Clerk Register.

Apud Glasgw, vij Junij, anno xlv^to^.

Presentibus, Regina,[1] et Gubernatore. Sederunt. Cardinalis Cancellarius. Archiepiscopus Glasguensis.[2] Episcopi—Candidecase, Orchadensis, Dunblanensis. Abbates—Paslay, Dumfermling,[3] Culross. Domini—Flemyng, Setoun.

. . . counsell that the testane of the King of France be taken out through this realme for v s. vi d. and the souse for vi d., and that the carlous for v d., and that nane of our Soverane Ladyis liegis tak upon hand to refuise the said money of the prices forsaidis ilk ane in thair awine degree, and that all smaller peces sik as halff testanys and halff soussis be takin efter the quantite of the prices forsaidis, under the paine of deid.

[1] Regina, *i.e.* Mary of Lorraine, daughter of Claude, Duke of Guise, and widow of James IV. From this period the Queen-mother usually appears in person at the meetings along with the Governor. There is no act of the Estates defining her position in the State at that time, and we must infer it from "The copie of thaggreement made in the convention at Stirling," printed in "State Papers published under the authority of His Majesty's Commissioners" (1836, 4to), vol. v. p. 391. The Convention met at Linlithgow, and adjourned to Stirling, where it sat for a few days, beginning on 3d June 1544. This Convention "fande that oone great part why inobedience hath ben within this Realme sithens the Kinges Graces decesse, and that other inconveniences which have happened, was and is in my Lorde Governour and his Counsaile that was chosen to have ben with him for the time. And for remedy herof in times commyng, and that perfite obedience maie be to our Soverain Ladies aucthoritie unite concorde and perfite amitie maie be hadd emong all our Soverain Ladies legies, and speciallie emong the great men, and that they maie convent at all times to gyve theire counsaile in all matiers concernyng the Quenes Grace our Soverain Ladye and hyr Realme, and that justice maie be doone and executed emong the lieges therof, and that resistaunce maie be made to our ennymies—they all without variaunce consulted and deliberated that the Quenes Grace our Soverain Ladies mother shulde be adjoyned with my Lorde Governour in the using of thaucthorite of government in all tymes commyng, and shulde be egall with him theruntyll; and that oone great Counsaile shuld be chosen of 16 persons: 12 of them the greatest Erles and temporal Lordes of the Realme, and 4 spiritual men; as in the deliveraunce made therupon the 6th daie of the saide moneth of Juni, is at more leangth conteyned." This resolution being communicated to Arran, he appears to have remained passive, and at a meeting of the convention on the 10th of June they "baide and awayted upon the coming of my Lorde Governour, and upon his answer, for a 10 houres before noon while 12 houres was stryken; and he neither compared by himself nor sent his answer taccept and consent to the said ordinaunces and statutes there. Than the Lordes gave their decrete decerning my Lord Governour to be suspended, and suspending him from thadministration of his offices while further remeadye weare founde therfor. And because of the urgent necessite of the Realme, and invading of the same by our olde ennymies of England, and for the furthsetting of our Soverain Ladies aucthoritie and perfite obedience to be had therto, unitie and concorde to be had among all them of this realme both greate and smale, without thadministratioun of the government were put in soume persounes handes most convenient therfor; the saide Lordes without variaunce hath thought noo other persone more convenient therto nor the Quenes grace our Soverain Ladies mother, for the good and urgent causes before expressed; and therfore have chosen Hyr Grace to use and ministre in the said office of government, with thadvise of the Lordes of Counsaile, conforme to the actes and ordinaunces made therupon of before, while further remedye be made herto. And Hyr Grace hath accept the same in and upon hyr, to be used with thadvise of the saide Lordes as saide is. And bicause Hir Grace can not doo the same without she be starklie mainteyned and defended thereuntyll; therfore we Archebishopps, Bishopps, Erles, Lordes, Barons, Abbottes, and others noble men, whose names hereaftre subscribed, doo bynde and oblige us, and promitt by the faithes in our bodies, and have gyven our aithes herupon, that we shall maintene and defende the Quenes grace our Soverain Ladies mother in the using and administration of thoffice of government and thaucthorite in all things."——301-4.

[2] James Beaton, Archbishop of Glasgow.

[3] George Durie, Abbot of Dunfermline.

The samyn day forsamekle as Capitane Lorge Montgomery[1] lieutennent to the Franche army divisit be the King of France to cum to the realme of Scotland for defense thereof aganis our ald inymyis of Ingland, is now laitlie arrivit with his cumpany. Quhairfor it is thoucht necessar be my Lord Governour and Lordis of Counsel, that ane general conventioun be had to trete commune consult and conclude, upoun sik effaris and besynes as concernis the commoun wele of the realme, defense and liberte therof. Thairfor orderis letteris and writingis to be writtin to all Prelatis, Erlis, Lordis, and grete Baronis of the realme, praying thame to convene in Edinburgh the xxiij day of junij instant, for thair advise and counsel to be had in sik gret effaris as concernis hielie the commoun wele of this realme, defense and liberte therof, lik as salbe schawine to thame at thair cuming.

The samyn day it is divisit statute and ordanit be my Lord Governour and Lordis of Counsel, that the Provost and Ballies of Glasgw putt ordour and pricis upoun all manner of stuff within this toun sik as flesche breid and ayle, to be sauld to the Franche army upoun the prices underwrittin that is to . . . the best moutoun bowk for x s. and uther moutoun of smaller price as thai can aggree with the merchand, and the best carcage of gerse beiff for xxviij s. And in likwise that na maner of uther stuff be sauld of dearer prices nor the samin were sauld of befor under the pain of deid, with certificatioun to tham and tha falyes, that the sadis Provost and Ballies salbe callit as oppressouris of our Soverane Ladyis liegis and punist thairfor as accordis.

Apud Glasgw, undecimo Junij, anno, etc. v^{c}xlv^{to}.

Presentibus, Regina, et Gubernatore. Sederunt. Cardinalis Cancellarius. Episcopi—Candidecase, Orchadensis. Comites—Angus, Bothwel. Abbates—Dunfermling, Culross. Domini—Flemyng, Sumervell, Borthwik, Setoun.

The quhilk day forsamekle as my Lord Governour and Lordis of Counsel understand that Gilbert Erle of Cassillis Ballie of the Abbay of Glenluse on that ane part, intendis to hald ane Court upon the landis and lordschip of Glenluse, and to that effect to mak convocatioun and gadering of our Soverane Ladyis liegis; and on that uther part, Andro Agnew sheriff of Wigtoun be assistence of the lard of Lochinver and utheris his friendis at command of my Lord Governour and Lordis of Consell, conform to the charge gevin to tham therupon, hes takin the place and abbay of Glenluse and haldis the samin, tending to mak convocatioun of thair kin and friendis and utheris our Soverane Ladyis liegis, to stop the said Ballie to hald his courtis; and for staunching of inconvenientis in the cuntre . . . . wele and quietnes of this realm pece and tranquillite to be had amongis our Soverane Ladyis liegis, It is divisit and ordanit be my Lord Governour

[1] Gabriel de Lorges, Sieur de Montgomery, who in a tournament afterwards mortally wounded King Henry Second of France.

and Lordis of Counsell, that the Sheriff of Wigtoun and his part-takaris sall remoiff furth of the said abbay and place of Glenluse, and leiff the samyn void and red, and that na maner of personis remaine therintill bot the religious men and utheris thair daylie necessar servandis, for the performyng and fulfilling of the quhilkis James Douglas of Drumlangrik is bondin cautioun and souerte to my Lord Governour and Lordis of Counsel, that the samin salbe done conform to the charge and letteris past therupon under the paine of iii^{m} merkis, and inlikuis that the said Gilbert Erle of Cassillis of his awine consent being personalie present, sall hald na maner of court or courtis upon the landis and lordsship of Glenluse be vertew of his said office of ballirie, nor have ony intromissioun or melling with the said place landis fermes profittis and dewiteis of the samyn quhatsumevir belangand therto, nor mak ony innovatioun herintill unto the viij day of July nix to cum; to the effect that all thingis may be wele addressit and accordit in the meyntyme; and for the performyng and observing of the said Erlis part, William Erle of Glencairn and Hew master of Eglintoun, ar becumin cautioneris and souerteis to my Lord Governour and Lordis forsaidis that the samyn salbe done for his part under the said pane of iii^{m} merkis, and that letteris be direct heirupoun as effiris.[1]

. . . . . .

Presentibus, Regina, et Gubernatore. Sederunt. Cardinalis Cancellarius. Episcopi—Candidecase, Orchadensis. Comites—Ergyle, Cassillis. Domini—Flemyng, Ruthven, Setoun. Secretarius.[2]

The quhilk day it is divisit and ordanit be my Lord Governour and Lordis of Counsel, that letteris be direct to officiaris of the Queenis, Sheriffis in that part, makand mentioun forsamekle as tha have bene oft and diverse tymes informyt of the gret invasions and persute maid be Donald allegesand him of the Ilis and utheris hieland men his parti takaris upoun our Soverane Ladyis liegis, alswele upoun the Ilis men as utheris duelland upoun the ferme landis of Scotland, be byrnyng hereing slaying of our Soverane Ladyis liegis baith be fyre and sword, and continualie and daylie perseveris therintill, and that nocht alanerly throw thair awine pissance bot also throw suppli myance and favour of the King of Ingland, talkand gude deid of him and his thairfore, tending to do that is in thame to bring the hale Ilis and ane grete part of the ferme land of this realme to the obesance of the King of Ingland, in hie contemptioun of our Soverane Ladyis autorite, havand na respect to the samyn. Tharfor to command and charge the said Donald and all utheris his part takeris to desist and cese fra all maner of persewing or invading of our Soverane Ladyis liegis als wele duelland in the Ilis as in the ferme land of this realm, or invading of our Soverane Ladyis liegis to byrn hery slay or distroy ony of thame, or mak ony oppressionis upoun

[1] For information on the commendation of the abbacies of Glenluce and Crossraguel, and the disposal of the estates belonging to them, referred to in this and further sederunts, see "Historical Account of the Noble Family of Kennedy, Marquess of Ailsa and Earl of Cassillis, with Notices of some of the principal Cadets thereof." 4to, 1869.

[2] James Strachan.

thame, owther be day or nycht, under the pane of tresoun; with certificatioun to thame and every of thame and tha falye that tha salbe reput and haldin [as assisters favouraris and part takaris with the Realm of Ingland][1] and salbe callit and punist therfor with all rigour according to the lawis of the realm; and ferther the hale body of the realm of Scotland with the succours laitly cumin fourth of France sall cum upoun thame to thair utir rewyne and distructioun.

Apud Striveling, vigesimo quarto Junij, anno v^{c}xlv^{to}.

Presentibus, Regina, et Gubernatore. Sederunt. Cardinalis Cancellarius. Episcopi—Dumblanensis, Orchadensis. Comitis—Huntlie, Ergile, Bothuel, Montrose, Rothes. Abbates—Dunfermling, Domini—Erskin, Flemyng, Ruthven. Secretarius. Clericus Registri.

The quhilk day my Lord Governour and Lordis of Counsel, understanding that becaus of the fere of the pest that is laytlie risyn in the toun of Edinburcht, the seite of Sessioun may nocht surelie remaine thairin nor our Souerane Ladyis liegis may nocht surelie resort thairto, and it is and will be grete scaithe to the realme giff the samin falye. Thairfor hes thocht expedient that the said Sessioun be transportit to sitt in Linlithgw, and to begin upoun Mounday nixtocum the xxix day of Junij instant, and to continew quhill it be sene be my Lord Governour and Lordis of Counsell that the samyn may return again to Edinburgh. Tharefor that letteris be direct to officiaris of the Quenis, Sheriffis in that part, to pas to the mercat cross of Edinburgh, and thair be oppin proclamatioun, require command and charge the President and Lordis chosin upoun the Sessioun, that tha convene in the said toun of Linlithgow as said is, with certificatioun and tha falye . . . and utheris salbe chosin in thair place that will remane thairin and minister justice to our Soverane Ladyis liegis, and siclik to warne all our Soverane Ladyis liegis that hes ony processis ellis dependent or to be callit, that tha awate thairupon, and to warne all advocatis and utheris memberis of Court of the premisses, with certificatioun that quhether tha compere or nocht the said day that processis sal be had in all materis accordinglie as efferis.

Apud Striveling, xxv^{to} Junij, anno, etc. v^{c}xlv^{to}.

Presentibus, Regina, et Gubernatore. Sederunt. Cardinalis Cancellarius. Episcopi—Dumblanensis, Orchadensis. Comites—Huntly, Ergile, Bothuel, Rothes, Montrose. Abbates—Dunfermling, Pasla. Domini—Flemyng, Ruthven, Setoun, Ross, Lindesay, Simple, Yester. Dominus Georgius Douglas. Clericus Registri.

The quhilk day my Lord Governour and Lordis of Counsel ordanit letteris to be direct to officiaris of the Quenis, Sheriffis in that part, to pas command and charge Master Hew Rig and Johne Acheson burgesses of Edinburgh, collectouris of the taxt of xxvj^{m} ℔., to compere in Linlithgu the xij day

[1] Not in the Register, which is here defective; taken from the transcript referred to p. 1.

of July nixtocum befor our Soverane Ladyis Commissaris that sal be deput thairto, and thair to mak and gift compt and reknyng of all soumes of money intromittit with be tham of the said taxt, baith of the temporale and spirituale estate, sua that it may be knawin to my Lord Governour and Lordis of Counsel quhat restis awand of the said taxt, that tha may mak haisty provision for ingetting of the samyn under all the . . . ordanis letteris to be direct to officiaris of the Quenis, Sheriffis in that part, to pas command and charge all Sheriffis Stewartis Ballies alswele Regalitie as Ryalte and als the Provostis Aldermen and Ballies of burrowis, that tha and ilk ane of tham compere in Linlithqw the xv day of the said moneth of July befor our said Soveraine Ladyis Commissaris to be depute thairto as said is, and bring with thame the taxt rollis of the said taxt of xxvj^{m} lĭ. Ilkane of thame within the boundis of thair offices and ballierys, to be sene and considerit quhat the said taxt extendis to, and bring with thame the said taxt rollis, and quhat is payt thairof and quhat restis unpayt ; and siclik to bring with thame the letteris execut and indorsat upoun the personis that hes past to the horn for non-payment of the said taxt, under the pain of rebellion and putting of thame to the horn, with certification to thame and tha falye, that tha salbe putt to the horn and denuncit our Soverane Ladyis rebellis, and all thair movable guidis salbe eschetit and inbroucht to our Soverane Ladyis use for thair contemptioun.

[Stirling, 26th June 1545.—Proposition by M. de Lorges, sent by the King of France with a force of horse and foot to be used against England either for defence or invasion. He requests to be informed of the determination of the Governor and Nobles. The Governor, Lords, Barons, and Gentlemen subscribing the Act, declare in one voice, without discrepance or variance, that they and all the other nobles and barons of the realm, and other lieges thereof, are ready to co-operate with the King of France against England to the uttermost of their power, whether by defence or invasion. Committee appointed to assist the Queen Dowager, the Regent, and the Cardinal in the arrangements for the war.[1]]

xxvij Junij anno xlv^{to}.

Presentibus, Regina, et Gubernatore. Sederunt. Cardinalis Cancellarius. Comites—Angus, Huntly, Ergile, Bothuel, Rothes, Glencarne.

The quhilk day the Quenis Grace my Lord Governour and Lordis of Secrete Counsell, understanding that thair is ane generale conventioun now haldin in Striveling lik as hes bene this long tyme, and na maner officeris and speciale masseris cummys to remain and awate upon thair office nor utheris effaris of the realme, and thairfor hes exonerit and dischargit, and

[1] This has been already printed, from the Register of the Privy Council, in the Appendix to the Acts of Queen Mary's reign, Act. Parl. Scot., ii. 594-5.

be the tenour hereof, exoneris and dischargis all the saidis masseris of all using of thair offices of masarie in all tymes cuming, unto the tyme tha obtane my Lord Governouris dispensatioun of new to use the samin, and ordanis letteris to be direct to mak publicatioun be oppin proclamatioun at the mercat croces of Edinburgh, Striveling, Linlithqw, and utheris placis needfu herof in forme as efferis.[1]

. . . for tham thair kyn freindis and servandis on the . . . be the tenour hereof, assures George Douglas of . . . and the young lard of Drummelyair, tham thair kyn freindis and servandis, to be unhart unharmit unpersewit be tham and all that tha may lett, and inlikuis the saidis George Douglas and the young Lard of Drummelyair for tham selfis, thair kyn freindis and servandis, assuris the saidis Patrik Erle Bothuell and Malcolm Lord Flemyng tham thair kyn friendis and servandis, to be unhurt unharmit unpersewit be tham and all that tha may lett uwther in body or guidis under the panis of perjure and infamyte And nevir to be reput and haldin famous in tymis cuming, and the said assurance for the space of xxvj days nixt efter the day of the dait heirof to indure.

The quhilk day forasmikel as it is thoucht expedient by the Queenis Grace, my Lord Governour and Lordes of Counsell convenit in this present conventioun, for caussis moving thaim, that ane counsell of lordis suld be chosen to await upon my Lord Governour and be upon his secret counsell as in the Act made thairupone is at mair length containit. Tharefor hes dissolvit and dischargit, and be the tenour herof dissolvis and dischargis all actis maid of befor, touching thame that sal be upoun the secret consell. And ordanis the samin to have nane effect in tymes cuming. And sicklik anent the subscryving of all signatours touching baith casualtie and propertie.[2]

The quhilk day [the Earl of Argyle and Robert Douglas of Lochlevin agree to submit to the decision of the Cardinal and the Bishop of Orkney the disputes between them in relation to the Earl's taking the lands of Muckhart in the sheriffdom of Perth, claimed by Douglas, and Douglas the lands of Ballisk held in tack of John Pennent and claimed by the Earl in feu.]

Anent the suplicatioun gevin in be ane venerable fader in God Galter Abbot of Glenluse and convent of the samin, aganis Gilbert Erle of Cassillis, Johne M'Dowell of Garthland, William Adare of Kynhilt, and Fergus M'Dowell of Freuch, makand mentioun, quhair to resist invasioun of thair place and abbay be way of deid than and yit apperand, Andro Agnew sheriff of Wigtoun at command of the Quenis letteris enterit with certane his friendis and servandis in the said place, and remanyt in the samin quhill laytlie, be vertew of ane act maid be my Lord Governour and Lordis of Counsel and letteris rasit thairupon at the instance of the said Erle the xj day of Junij instant, it apperis ordanit that the keping of the

[1] As to the convention at Stirling, see above, p. 2, note.

[2] This paragraph of the minute is printed, Act. Parl. Scot., ii. 595.

said place sall cease simpliciter and invasioun thairof bot supersedit quhill the viij day of Julij nextocum, quhilk being bepast, the said place and benefice is destitute of all defension salbe fairle pray to the said Erle and his complicis as at mair lenth is contenit in the said suplicatioun; baith the saidis partis being personaly present, My Lord Governour and Lordis of Counsell, findis that the said venerable fader and convent are lauchfully providit to the place of Glenluse and abbay thairof, and hes bene in possessioun of the samyn thair diverse yeris bigane, and thairfor ordanis letteris to be direct to command and charge the saidis personis to desist and cese fra all invasioun of the said place, and molesting and trubling of the said venerable fader and convent in the peceble brouking and josing of the said place, intromitting and uptaking with the frutis rentis and emolmentis thairof, and disponying thairupon at thair pleasure in tymes cuming utherways than law will, ay and quhill tha be lauchfully callit and ordourly putt thairfra, and that letteris be direct hereupon as effeirs.

[28th June 1545.—Co-operation with Lorges de Montgomery and the French auxiliaries agreed to. Reference to proceedings at the Convention. Determination there, that since the King of France has shown himself so great and tender a prince and loving father to their Queen, there shall be national co-operation for the defence of the country and for the invasion of England, so far as that may be necessary for defence. Because the manner thereof could not be so well devised with so great a multitude, certain Lords and Barons chosen to adjust with the Queen Dowager, the Regent, and the Cardinal. Belief that the King of England, determined to conquer the country, is preparing a great and stark army. Therefore a great and universal army to be raised of all the realm, either for defence, or invasion of England, as shall be thought expedient.[1]]

[29th June 1545.—The proceedings continued. A vote taken (as it would appear) in the Convention, and unanimous adoption of the resolution in the preceding minute. Committee of lords and barons chosen, with rotation of duty.[2]]

. . . . . .

The quhilk day William Erle of Glencarne [having, by gift from the Crown to him, his heirs and assignees, acquired the ward, relief, and non-entries of the lands of Auchynnainez and pertinents thereof, within the sheriffdom of Renfrew, and the five merk land of Quhitesyde and tenandry thereof, called the "ald mur," in presence of the Governour and Council, transferred his right thereto to his son, Hew Cunyngham of Waterstoun.]

[1] This important historical document has, along with the preceding minutes connected with the same business, been already printed from the Register of the Privy Council in the Appendix to the record edition of the Acts of Parliament of Queen Mary's reign (Act. Parl. Scot., ii. 595-6). The names there attached to the resolutions are printed from autograph signatures in the Register of the Council.

[2] Printed at length, Act. Parl. Scot., ii. 596.

. . . vltimo Junij anno xlv^to.

Presentibus, Regina, et Gubernatore. Sederunt. Cardinalis Cancellarius. Episcopi—Dunblanensis, Orchadensis. Comites—Huntly, Bothuel, Glencarne, Cassillis, Montros. Abbates—Dunfermling, Cowper, Domini—Flemyng, Ruthven, Elphinstoun, Dominus Stewart de Uchiltre, Methven.

The quhilk day in presens of the Quenis Grace my Lord Governour and Lordis of Counsell, comperit Robert Master of Maxwell for himselff, James Douglas of Drumlanrik, James Gordoun of Lochinvar, Alexander Stewart of Garelis, Johne Johnstoun of that Ilk, Johne Greorsoun of the Lag, Thomas Kirkpatrik of Closburn, Kirkpatrik of Ross, as plegis and souerteis for him; and bund and oblist him and thame, upoun thair lyvis and heritagis, that the said Robert Master of Maxwell sall lelely and trewlie kepe the houssis of Carlaverok, Lochmaben, and the Treve, to our Soverane Lady my Lord Governour, and to the autorite, fra our auld inymyis of Ingland, ay and quhill Robert Lord Maxwell his fader cum in presens of my Lord Governour and Lordis of Counsell, and thair to declare his innocence and part anentis Ingland, and mak his purgatioun of the suspicioun that tha have aganis him in that behalff; and ay and quhill the said Lord Maxwell be admittit to his awin place, and quhill ane gret army and power of Ingland cum upon him quhilk he may nocht resist; and giff ony cummys, he sall with all diligence advertise my Lord Governour and Counsell thairof. And siclik all the sadis personis, except the said Master of Maxwell quha is wardane, bundis and oblissis thaim that tha sall have na intelligence with Ingland nor send or latt thair servandis gang in Ingland, under the panis forsaidis; and my Lord Governour and Lordis of Counsell hes promittit to giff and deliver to the master of Maxwell power and artalyerie with diligence for keping of the sadis houssis.[1]

The samyn day in presens of the Quenis Grace and my Lord Governour and Lordis of Counsell, Hew Master of Eglinton bund and oblist him that he sall caus the Lard of Caldwell and his brother, to compere befor my Lord Governour and Lordis of Counsell, in Linlithgw or quhar it sall happin thame to be for the tyme, the tent day of July nixtocum, and thair to produce all rycht that he hes quhairby he clames ony rycht to the landis pertenying to Dame Jonet Stewart the relict of umquhile Johne Muir of Caldwell and now spous to Thomas Kirkpatrik of Closburne, and falyeing thairof that the said laird of Caldwell and his brother compere nocht the said day as said is, the said Hew Master of Montgomery bindis and oblissis him that he sall on na wyse tak part with the said Lard of Caldwell and his brother in tymes cuming, and siclik the said Thomas Kirkpatrik for him selff and takand the byrding upon him for his said spous, hes promittit to bring with him sik rychtis as tha will use quharby tha clame the sadis landis to pertene to thame.

[1] On the matter of this minute see State Papers published under the authority of His Majesty's Commissioners, v. 345, *et seq.*

The quhilk day my Lord Governour and Lordis of Counsell, understand that thair is ane gret quantite of double dukatis of Spanye and Portingall that ar of wecht enterying in this realm, quhilkis commonly hes course in France for lxxx and xvj s. and ar worth samekle to have passage in this realm. Thairfor and for uther causis moving tham concerning the commoun wele, hes ordanit the said double ducatis to have passagis within this realm ilk pece for xlviij s. Tharefor ordanis letteris to be direct to all Provostis Aldermen and Ballies of burrowis of this realme, to pas to the mercat croces of all burrowis, and thair be oppin proclamatioun command and charge all and sundry our Soverane Ladyis liegis, that tha tak the said double doucatis of wecht ilk pece for the soum of xlviij s. in payment for stuff and merchandice, and that nane tak upon thame to refuise the samin upon the price forsaid under the pain of deid, and ordanis the single ducatis off wecht to have passage for xxiiij s. under the pane forsaid.

[xxix Julij m.vc.xlv^to^. Apud Linlithgow.[1]]

In presens of my Lord Governour and Lordis of Counsell comperit . . . and havand full power of Gilbert Scot indwellar of Deip . . . how thar is ane Portingale ship ladin with succouris and . . . takin be him as factor forsaid be vertew of ane letter of merk gevin and grantit be the maist cristin King of France to the said Gilbert Scot and his collegis takaris of the said ship, and producit the autentik copy of the said letter of merk autentikly transumyt in the toun of Arkis under the sele of the tabellioun and keparis of the sele of the vecunty of Arkis; and my Lord Governour and Lordis of Counsel being avisit with the said letter of mark, and understanding that the King of Francis subjectis ar friendis to our Soverane Lady and this realm. Tharefor hes declarit that the said pryse of Portingal takin be the saidis Franchemen may be ressavit in this realm, and the gudis contenit in the samyn be sauld to our Soverane Ladyis liegis, be vertew of the said letter of mark, without ony crime to follow therupon. Off the quhilk letter of mark the tenour followis.

[The "lettre de Marque" follows at length in French. It is granted to enable reprisals to be made for the seizure by the Portuguese of a vessel belonging to Scot "nommé le Petit Lyon équippé en guerre par le dit Scotte pour faire nuisance et porter dommaige à l'Empreur et ses subgeitz lors comme a present notrez enemys."]

Apud Linlithqw, decimo die mensis Julij, anno Domini millesimo quingentesimo xlv^to^.

Presente, Domino Gubernatore. Sederunt. Cardinalis Cancellarius. Episcopus Orchadensis. Abbates—Paslay, Culross. Secretarius. Clericus Registri.

The quhilk day my Lord Governour and Lordis of Secrete Counsell, understandis clerly and knawis perfetely that the new Inglis grote of Ingland callit the grote with the braid face, is tane universalie for xviij d. howbeit

[1] Imperfect in the Register; supplied from the transcript.

the samyn grotis ar nocht silvir and ar false for the more part, quharethrow grete hurt and dampnage may engenner amongis the liegis of this realm, without remeid be put thairto. Tharefor ordanis the said grote to have na course nor passage within this realm frathynefurth, and letteris to be direct to the Provost and Ballies of Burrowis and utheris officeris of the Quenis, Sheriffis in that part, to pas to the mercat croces of all burrowis, and thair be oppin proclamatioun command and charge all and sundry our Soverane Ladyis legis, that nane of thame tak upoun hand to tak the said grote in payment in ony maner of sort, under the pane of escheting of the samyn quhairevir tha may be apprehendit, and punissing of the personis that usis the samin at my Lord Governoris will. And becaus it is understand that ane grete part of the saidis grotis ar cumin within this realm, and ar pas amongis the liegis thairof, and that tha be nocht putt to extreme tinsell therthrow, it is permittit to all and sundry our Soverane Ladyis liegis to bring to the cunyehous and tha sall have payment for thame sa far as tha ar of avail.

The quhilk day my Lord Governour with avise of the Lordis of Counsell, understanding that Johne Lord Erskin and Alexander Lord Levingstoun hes the hale cure and keping of our Soverane Ladyis persoun in the castell of Striveling, and it is necessar to thame for the more sure keping thairof to have with thame substantious freindis considering the danger and perill that apperis in this realm, and thairfor hes exemyt and dischargit, and be thir presentis exemys and dischargis the said Johne Lord Erskin and his friendis underwrittin; That is to say, the Lardis of Garden, Glennegas, Kers, Polmays, Estir and Wester Sauchy, Kilcraith, Lekky, Awdy, Drumquhassill, Walter Setoun, Johne Buchquhannane, John Setoun, Robert Bruse, David Bruse, Andro Bruse, and John Callander, of passing to any armyis or raidis aganis our auld inymyis of Ingland or ony uther conventionis inwith or outwith the realme, bot that tha remain with the said John Lord Erskin, togidder with his and thairis household men, and for the sure keping of our Soverane Ladyis persoun forsaid within the said castell, nochtwithstanding ony letteris chargis or proclamatiounis maid or to be maid and panis contenit thairin, in the contrair. The quhilk panis my Lord Governour with avise of the saidis Lordis, will that the saidis personis, nor nane of tham, sall nocht incurr, nor suffer any danger or skaith in thair personis landis or guidis, nor be callit nor auisit thairfor, dischargeing Justices, Justices Clerkis, thair deputis, and all utheris our Soverane Lady's officeris of all melling . . . and thame and ilkane of thame of thair officis in that pairt, and ordanis the Clerk of Register to insert this deliverance and ordinance in the bukis of counsel and to haif the strenth of ane act thairof; and that becaus the sadis Lordis ar bundin for the sure keping of our Soverane Ladyis persoun upoun thair lyfis and heritages, providing always that sa many of thair personis abonewrittin as remanys at hame, send ane honest gentleman and ane of thair special freindis with thair folkis to my Lord Governour, to pas forwart with his

grace, ordourit and furnest efter the forme and tennour of the proclamatioun direct herupoun.

The quhilk day my Lord Governour with avise of the Lordis of Counsell, understanding that Johne Lord Erskin and Alexander Lord Levingstoun hes the hale cure and keping of our Soverane Ladyis persoun being in the castel of Striveling, and it is necessar to thame for the mare sure keping thairof, to have with thame substantious freindis considering the danger and perell that apperis in this realm, and thairfor hes exemyt and dischargit and be thair presentis exemys and dischargis the said Alexander Lord Levingstoun and his friendis underwrittin; That ar to say, Master Alexander Levingstoun of Donypace, Alexander Levingstoun son to the Lard of Kilsyth, Alexander Levingstoun of Errenterane, Robert Bruse of Arth, James Muschett of Tongarth, William Boyde of Badinhaith, William Flemyng of Borde, Robert Callendar of Bachinclocht, Johne Buchquhannane son in the law to the said Lord Johne Levingstoun of Castlecary, James Levingstoun in Burnsyde, Johne Levingstoun of Manerstoun, and Johne Craufurd in Kippane, off passing to ony armyis or raidis aganis our auld inymyis of Ingland or ony thair conventiounis inwith or outwith this realme, bot that tha remane with the said Alexander Lord Levingstoun togidder with his and thairis freindis household men, for the sure keping of our Soverane Ladyis persoun within the said castell, nochtwithstanding ony letteris chargis actis or proclamatiounis maid or to be maid, and panyis contenit thairin in the contrair. The quhilkis panyis my Lord Governour with avise of the sadis Lordis will that the saidis personis nor nane of thame sall nocht incurr, nor suffer ony danger or scaithe in thair personis landis or guidis nor be callit nor accusit thairfor, dischargeing Justices, Justice Clerkis, and all utheris our Soverane Ladyis officiaris of all melling thairwith and thame and ilkane of thair offices in that part, and ordanis the Clerk of Register to insert this deliverance and ordinance in the bukis of counsel, and to have the strenth of ane act thairof, and that becaus the saidis lordis ar bundin for the sure keping of our Soverane Ladyis persoun upon thair lyvis and heritage, providing always that sa mony of the persounis abonewrittin as remayne at hame, send ane honest gentleman and ain of thair special freindis with thair folkis to my Lord Governour, or pas forwart with his grace, ordourit and furnest eftir the forme and tenour of the proclamationis direct herupon.

Apud Linlithgw, x[xv] Julij, anno xlv^to^.

Presentibus, Regina, et Gubernatore. Sederunt. Cardinalis Cancellarius. Episcopus Orchadensis. Comites—Bothuel, Rothes. Abbates—Paslay, Dunfermling. Dominus Flemyng. Secretarius. Clericus Registri.

The quhilk day my Lord Cardinale protestit, that albeit our Soverane Ladyis letteris ar direct chargeing all and sundry our Soverane Ladyis legis alswele

Regalite as Ryalte, to cum forwart to our Soverane Ladyis army to the Bordouris for defense of this realm aganis our auld inymis of Ingland, that the sadis lettris suld be na hurt to the privilegis of his regaliteis nor turn him to na prejudice, and in cais any dampnage or hurt war done to his regaliteis he protestit for remeid of law tyme and place.

My lord of Paslay havand the ward of the sheriffschip of Linlithqw, protestit that the tennentis dwelland within the regalite of Halyrudhous suld answer to all sheriffis courtis and wappynschewingis, lik as tha war wont to do of befor, and quhatevir war done thairintill be the lordis, suld be na hurt nor prejudice to the auld use observit and kepeit in sicklike casys of befor heirupon.

The quhilk day anentis the letter schawin in presens of the Quenis Grace my Lord Governour and Lordis of Counsel, be Robert Master of Erskin, send to him be Thomas Quartom Wardane of the west merchis of the realm of Ingland foranentis this realme, desyrand him as prisoner to the King of Ingland to entir agane in the toun of Carhill to the said Wardane as officiar to the said King, according to the said masteris band and promissis maid to the said King at his departing furth of the said realme of Ingland to the realm of Scotland, likas the said writing at mair lenth proportis. My Lord Governour and Lordis forsadis being avisit with the saidis writingis, understandis clerelie that the said Masteris remisioun is ellis maid be the said King off Ingland as his writingis maid thairupon at mare lenth proportis, and be the law of armes is na ferther oblist baith for his awine releffe and his plegis, and als it is againis the commoun wele that he or ony uthir plegis suld entir again in the said realm of Ingland considering the qualite of time now occurrand. Tharefor hes gevin command and charge to the said Robert Master of Erskin being personallie present, that he nowther entir himselff in Ingland, nor send nor ressave ony writingis furth of the said realme of Ingland, without he advertise my Lord Governour and Lordis of Counsell thairof and obtene thair licence thairto under the pane of tresoun.

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Presente, Domino Gubernatore. Sederunt. Cardinalis Cancellarius. Episcopus Orchadensis. Comites—Bothuel, Rothes. Abbates—Paslay, Dunfermling. Secretarius. Clericus Registri.

The quhilk day my Lord Governour and Lordis of Counsel, understanding in all tymes bigane quhen ony armyis within the realme wes rasit to pas incontrair the auld innymeis of Ingland to defend or invaid thame, it wes evir providit in speciall be the Kingis grace for the time and his Counsell, that nane distructionis of cornis cattell vittale nor that na man suld hurt or sla other men in defence of thair gudis, or committ ony enormyteis reiffis or spulyeis upoun our Soverane Ladyis liegis. Thairfor my Lord Governour with avise of the Lordis forsaidis, ordanis lettres to be direct to all

Sheriffis Stewartis Baillies and thair Deputtis Provostis and Baillies of burrowis and utheris officiaris of the Quenis, Sheriffis in that part, chargeing thame to pas to the mercat croces of the burrowis of the schiris quhair all our Soverane Ladyis liegis now cumand to our said Soverane Ladyis army passand or repassand, thairfra of quhat estait conditioun that evir he be of, that nane of thame tak upoun hand to distroy or tak ony cornis cattell vittale or ony gudis at thair awin hand, or to hurt or sla ony man in defence of his gudis, or commit ony enormyteis reiffis or spulyeis upoun our Soverane Ladyis liegis, under the pane of restitutioun of the gudis sa distroyit be thame, or tane be thame, with thair dampnage skaith and expense, and the lordis lardis or maisteris quhais cumpany committis the saidis revis distructionis or spulyeis, to ansuer to the party dampnagit or skaithit civilie thairfor, and to be callit upoun recent spulye without diettable contentioun of summondis or sete of sessioun. And nocht the less the committeris heirof to be callit and punist criminalie as distroyaris and oppressaris of our Soverane Ladyis liegis in justice aires or uther particular justice courtis. And ordanis the Justice Clerk to sett particular justice courtis to all thame that sal be complenit upoun.

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Augusti anno, etc. v^{c}xlv^{to}.

Presente, Domino Gubernatore. Sederunt. Cardinalis Cancellarius. Episcopus Orchadensis. Comes Huntly. Abbates—Paslay, Dunfermling. Dominus Ruthven. Secretarius. Clericus Registri.

The quhilk day, forsamekle as my Lord Cardinale Archbischop of Sanctandrois hes debursit at the request and plesour of my Lord Governour, the soume of vj^{c} ℔. for furth carying of the artailyerie fra the castell of Edinburgh to the Bordoris, at this last raid and ost in Ingland and hamebringing of the samyn agane, and als it is ordanit that my lord of Paslay Thesaurer suld refund and pay the said sowme to my said Lord Cardinal of the reddiest money that may be gottin for the casualite, and for payment of the samin agane the said Thesaurar to support the necessar effairres of my Lord Governour, it is ordanit that the said sowme of vj^{c} ℔. be payit to the said Thesaurar of the first money that salbe gottin in of the rest of the greit taxt of xxvj^{m} ℔., and ordanis the collectoris to pay the samin thankfullie quhilk salbe thankfullie allowit to thame in thair comptis thai schewand the said Thesaureris acquittence upoun compte.

Apud Linlithqw, xxij^{do} Augusti, anno xlv^{to}.

The quhilk day my Lord Governour and Lordis of Counsale understandand that thair is diverse greit and wechty materis to be treatit that concernis the commoun wele and estait of the realme, quhilkis can nocht be done without avise of the principall Lordis Barronis baith spirituall and temporall of the realme, and thairfor hes ordanit ane conventioun and consale to be had in Linlithqw and to begyn the xxiiij day of the moneth of September nixt to cum. Thairfor ordanis speciall writingis and letteris to be dirict to sa

mony Lordis Spirituall and Temporall and utheris as salbe gevin to the in portuus to cum and keip the said conventioun day and place forsaid, for thair avise and counsale to be had in sic materis as sal be proponit to thame at thair cuming concerning the commoun wele, and that the saidis writingis be extendit in gude and dew forme.

Apud Linlythgw.

Sederunt. Cardinalis cancellarius. Episcopus Candidecase. Comes Huntly. Abbates—Paslay, Dunfermling. Secretarius. Clericus Registri.

The Lordis ordanis lettres to be direct to Officiaris of the Quenis, Sheriffis in that part, makand mentioun forsamekill as thair is diverse grete restis awand of the taxt off xxvj^{m} lĭ. unpayit als weill to land as to burgh, and for ingetting of the samyn it is thocht expedient that certane Commissionaris be maid for to ressave the saidis restis and deliver the samyn agane to the collectoris of the said taxt, and in speciall hes maid Maister Johne Hammiltoun, viccar of Cragy, to ressave the rest of the taxt within the Sherifdomes and Borrowis of Aberdene, Bamff, Elgene, Fores, Narne, Inverness; and Maister Patrik Luddale Commissar for the Sherifdome and Borrowis of Fiff, Perth, Forfair, Kincardin, and Borrowis within the samyn; and John Hammiltoun of Roplocht, and Johne Robertoun of Ernok, for the Sherefdomes and Borrowis of Dumbertane, Lanerk, Air, Irwyn, Kyle, Carrik, Cunnygame, and Renfrow, and Borrowis Cieteis within the samyn; and Maister Barthilmo Kello for the Sherefdomes and Borrowis of Striviling, Linlythqw, Kinros, and Clakmannan; chargeing heirfor the said officiaris of the Quenis, Sheriffis in that part, to pas command and charge the saidis Sheriffis, Stewartis, Baillies and thair Deputis, Provostis, Aldermen and Baillies of the Cieteis and Borrowis, that thai incontenent assist and concurr with the said Commissaris and mak compt raknyng and payment to thame of the rest of the said taxt in sa fer as restis unpayit, ilkane for his awin part abone it that is ellis payit and ressavit be the collectoris of the said taxt, as salbe knawin be the copy and contract of the saidis collectoris compt subscrivit be thame or ony of thair handis and deliverit to the saidis commissionaris; and als to deliver the copy of the taxt rollis ilk Shereff and Stewart for his awin part, and to poynd and dystrenye for the said rest and mak reddy payment thairof within xlviij houris, under the pane of rebellioun and putting of thame to the horn. And gif the saidis Sheriffis, Stewartis, Baillies, Provestis, Aldermen and Baillies of Borrowis failyeis to put thaim to the horn becaus thai wer chargit diverse tymes of befoir and dissobayit, and gif the saidis Sheriffis, Stewartis, Baillies and thair deputis, Provestis Aldermen and Baillies of Borrowis beis neclygent and beis putt to the horne, thai the saidis officiaris of the Quenis, Sheriffis in that part, compell . . . payment thereof to the said collectouris under the pane of deid and sik like raise and inbringe ilk personis movable gudis that passis to the horn to our Soverane Ladyis use for thair contemptioun; and ordaunis the

saidis collectoris eftir thair resait of the said rest fra the saidis Commissaris, that thai mak payment to the Harbetraris now being in Kelso, Blascader and Wedderburn, and to nane utheris, ay to the tyme that new provisioun be maid be my Lord Governour and Lordis of Counsale, nochtwithstanding any letters or chargis gevin in the contrairy.[1]

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Presente, Domino Gubernatore. Sederunt. Cardinalis Cancellarius. Episcopus Candidecase. Comes Bothuele. Abbates—Paslay, Dunfermling. Domini—Ross, Simple. Secretarius. Clericus Registri.

The quhilk day my Lord Governour with avise of the Lordis of Counsele hes thocht expedient divisit and ordanit, that my lord Borthuik and my lord Setoun or ony ane of thame, in cumpany with Robert Hammiltoun capitane of Dunbar, be Commissaris for ressaving of the musteris of j^{m} horsemen divisit to pas and remane upoun the Bordoris for the space of thre monethis, for defence of the realme aganis our auld enymyis of Ingland, and to that effect to pas to Lauder the xvj day of this instant moneth of October, and ressave the saidis musteris of v^{c} men divisit to ly in the Merse and to roll thair names, and thaireftir to pas to Melrose the xv day of the said moneth or ony uthair day or dayis that sall be sene thairto, and thair to ressave the musteris of uthair v^{c} men divisit to ly in Teviotdaill, and roll thair names, and to se that thai be weill furnest and wappunit as accordis, and als to se thair wagis payit to thame be Maister Johne Skrimgeor of the Myris, Thesaurar and Ressavour Deput for the resset of the taxt of xviij^{m} lĭ. for payment of the saidis horsemen during the said space.

The samyn day my Lord Governour with avise of the Lordis of Consell, hes maid constitut and ordanit Maister John Skrimgeour of the Myris Thesaurar Ressavour of the sowmes of money that salbe debursit to him for payment of j^{m} horsemen divisit to ly upoun the Bordoris, viz. in Merse and Teviotdale, for the defence of this realme aganis our auld innymeis of Ingland, for the space of thre monethis, and he to pas and vesy the musteris and mak payment to the saidis horsemen of thair wagis, with avise of commissaris deput to ressave the saidis musteris eftir the forme and tenour of the act maid thairupoun.

The quhilk day, forsamekle as it is understand to my Lord Governour and Lordis of Counsell that thair is diverse and sindrie our Soverane Ladyis liegis baith in the Merse and Teviotdale that sittis under assurance of Ingland and rysis nocht nor concurris with utheris . . . . . .

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within the realme for taking . . . . . of thame thairfor ordanis

[1] On the back of the Record is a memorandum imperfectly preserved, to the effect that certain persons named "sall compere befor the Justice the x day of Julij to underly the lawis for the somis raisit in the letris of the Quenis instance eftir the forme and tennour of the saidis lettris, and underly the panes contenit in the samin."

letteres to be direct to the Sheriffis of Roxburgh, Berwik and thair deputis, and to officiaris of the Quenis, Sheriffis in that part, to pas to the mercat croces of the borrowis of the saidis schyris and utheris placis neidfull, and thair be oppin proclamatioun command and charge all and sindrie our Soverane Ladyis liegis that thai, and ilk ane of thaim, ryse and concurr ilk ane with utheris at all frayis and following for defense of this realme aganis oure auld innymeis, and sik like for resistence making to theivis and tratoris to steill within the realme, and to follow at all frayis and followingis quhen that ony sic thingis occuris, and ilk ane to pas with utheris and seirche and seik all sik theivis and tratoris, tak and apprehend thame to be punist for thair demeritis, under the pane of tinsell of life landis and gudis.

Apud Linlithqu, ultimo Octobris, anno, etc. v^{c}xlv^{to}.

Presente, Domino Gubernatore. Sederunt. Cardinalis Cancellarius. Archiepiscopus Glasguensis. Episcopi—Candidecase, Dunblanensis. Abbates—Paslay, Culross. Domini—Ross, Crechtoun. Secretarius. Clericus Registri.

The quhilk day my Lord Governour and Lordis of Counsale, being advertist that quhen ony personis ar callit to days of justice aire, thai obtene privat letteres subscrivit with my Lord Governour dischargeing the Justice, Justice Clerk, and all uther officiaris of all proceding, dischargeing thame of thair officis in that part; and thairthrow nowther the party nor souerteis comperis and swa is all justice frustrat and na ordour kepit, and our Soverane Ladyis autorite contempnit, Tharefor my Lord Governour of his awin fre will and consent and als the Lordis of Counsale, ordanis the Justice, Justice Clerk, Thesaurar, and thair deputis, that thai on na wyse admitt ony dischargeis of ony crymis, bot gif the samin pass be respect or remissioun, bot proceid and do justice in all justice courttis conforme to the lawis of the realme use and consuetude, observit and kepit in times bigane, notwithstanding ony sik dischargis gevin or to be gevin in the contrair.

Apud Linlithqu, primo Novembris, anno, etc. v^{c}xlv^{to}.

Presente, Domino Gubernatore. Sederunt. Cardinalis Cancellarius. Episcopus Candidecase. Domini—Ross, Simple. Abbates—Paslay, Culross. Secretarius. Clericus Registri.

The quhilk day . . . . . .
the Lieutennent of Ingland foranentis Scotland hes commandit and chargit, that na presoneris Inglishmen takin be Scottismen and lattin hame agane upon thair band and faith to entir, how sone thai wer callit for be thair takarris, suld entir agane to thair takarris; aganis the auld use and consuetude observit and kepit upoun the Bordorris, brekand thairthrow thair faith and hurt to thair honesty gretlie, Thairfor my Lord Governour

with avise of the Lordis of Consell hes statute and ordanit, that nane Scottismen taken presoneris be Ingland and lattin hame agane upoun thair faith and souerteis, entir agane to thair takarris in Ingland, undir the pane of tressoun, becaus it is consonent to all law, resoun, equite, and justice, at every man do and keip sik law and part as is done statute and kepit to thame be thair parti adversar; That letteres be direct heir-upoun to the Wardanis of the Ester Myddill and West Merchis and thair Deputis to mak publicatioun and inventioun of this ordinance at all publict places of the Bordoris, as hes bene usit in tymes bigane, and to command and charge all and sundrie our Soverane Ladyis liegis dwell-and within the boundis of thair Wardanrie to observe and keip the samyn under the pane forsaid.

Apud Linlithqu, xix° Decembris, anno, etc. v^{c}xlv^{to}.

Presente, Domino Gubernatore. Sederunt. Cardinalis Cancellarius.
Episcopus Candidecase. Abbates—Paslay,
Domini—Erskin, Flemyng, Levingstoun.

The quhilk day my Lord Governour and Lordis of Counsell, undirstandand that the house and castell of Hume standis upoun the Bordouris, and may nocht be surelie kepit without sum help and supple now in tyme of weir, and George Lord Hume hes na guidis left undistroyit to furnes the samin, quhair throw the said castell standis in grete danger. Thairfor and for certane considerationis moving, my Lord Governour and Lordis of Counsall hes divisit and ordanit that the soume of iii^{c} lĭ. be payit and deliverit to the said George Lord Hume for furnessing and keping of the said castell of the rediest money restand awand of the last taxt of xvj^{m} lĭ. ordanis for wagis of the Borderris; and becaus it is understand to my Lord Governour and Lordis of Consell, that the said soume may be maist esy gottin of the dioce of Sanctandrose of the rest awand be thame, ordanis my Lord Cardinale to mak payment of the said soume to the said Lord of the rediest rest of the taxt forsaid of his said dioce, and exhorts him to mak dilligence for ingetting thairof to the effect forsaid, nochtwith-standing ony statute act or charge maid in the contrair, and ordanis the collectoris of the said taxt to mak gude and thankfull allowance of the said soume to my Lord Cardinale, in his comptis of his taxt of his said dwty.

[The quhilk day Maister David Painter secretar to our Soveraine Lady, in presence of my Lord Governor][1] and Lordis of Counsell, deliverit to Maister James Fowlis of Colintoun Clerk of Register the trete maid betwix the Emperor and the said Maister Dauid as ambassatour for the tyme for the realme of Scotland, tuiching the frequenting and hanting of merchandis to Flandris and sik lik the Emperouris subjectis to this realme, to be kepit in the realme as use is.

[1] Supplied from the transcript.

Apud Linlithqw, xix° Decembris, anno xlv^to.

Presente, Domino Gubernatore. Sederunt. Cardinalis Cancellarius. Episcopus Candidecase. Abbates—Paslay, Culross. Domini—Erskin, Flemyng, Levingstoun. Clericus Registri.

The quhilk day my Lord Governour and Lordis of Consell, understanding that thair is diverse sharp letteres direct upoun all Sheriffis within this realme for inbringing and uplifting of the rest of the taxt of xvj^m lĭ. divisit for furnessing of certane wageoris upoun the Bordoris for defense of this realme aganis our auld inymyis of Ingland, under grete panis and last under the pane of rebellioun and failyeing thairof to put thaim to the horne, nocht the les it is hevilie menit be the said Sheriffis and thair Deputis, that thai ar scharplie putt at and the Barronis and uthiris that ar awand the said taxt will on na wise mak payment of thair part thairof without thai be farther compellit; Thairfor ordanis letteres to be direct to all Sheriffis within this realm and thair Deputis, to command and charge all and sindrie the Barronis Frehalderis and utheris that ar awand ony rest of the said taxt, to mak payment thairof to thame to the effect that thai may inbring the samin to the collectoris thairof within thre dayis nixt eftir thai be chargit thairto, under the pane of rebellioun and putting of thame to the horne; and gif thai failye, to denunce thaim our Souerane Ladyis rebellis and to put thaim to the horn; and ordanis the saidis Sheriffis and thair Deputis to bring and deliver the saidis letteres dewlie execut and indorsat upoun thame that dissobeyis and makis na payment of the said taxt to the collectoris of the samin, sua that uthir provisioun may be had for punissing of the disobeyaris as accordis.

Eodem die post meridiem.

The quhilk day my Lord Governour with avise of the Lordis of Counsell, havand respect to the grete scaith and dampnage that James Ker of Mersyntoun hes sustenit throw birnyng, hereschipe, and slauchter maid upoun him and his freindis be our auld inymyis of Ingland, and to the gude trew and thankfull service done be him to our Soverane Lady and my Lord Governour for defens of the realme, hes gevin and grantit to him the soume of twa hundreith pundis usuall money of this realm, of the rediest money of the rest of auld taxt, chargeing heirfor the collectoris thairof to mak thankfull payment to the said James of the said soume of twa hundreith pundis of the rediest of the said taxt giff ony be in handis, and failyeing thairof, of the first salbe gottin in; or to assign to him samekle of the said taxt in sik personis handis as ar awand the samyn, as the said James plesis best to ressave and accept, quhilk soume salbe thankfullie allowit to the saidis collectoris in thair comptis, kepand this act for thair warrand.

Apud Edinburgh, xix Januarij, anno Domini millesimo v^{c}xlv^{to}.

Presente, Domino Gubernatore. Sederunt. Cardinalis Cancellarius. Episcopus Candidecase. Comes Bothuel. Abbates—Paslay, Culross. Dominus Borthuik. Clericus Registri.

The quhilk day, in presens of my Lord Governour and Lordis of Counsel, comperit Patrik Erle Bothuel, and hes bundin and oblist him to deliver Maister George Wischart to my Lord Governor or ony utheris in his behalff quham he will depute to ressave him, betwix this and the penult day of Januar instant inclusive, and sall kepe him surelie and answer for him in the meyntyme, under all the hiest pane and charge that he may incurr giff he failyeis hereintill.

Apud Edinburgh xxiii Januarij anno xlv^{to}.

Presente, Domino Gubernatore. Sederunt. Cardinalis Cancellarius. Episcopus Candidecase. Comites—Huntly, Errol, Bothuel. Abbates—Paslay, Culross. Dominus Sancti Johannis. Secretarius. Clericus Registri.

The quhilk day my Lord Governour hes ratiffyt and approvit, and be the tennour herof ratifiis and approvis the gift maid of befor to Patrik Erle Bothuell, off the ward, mariage, relieff, and nonentres of all landis and annuel rentis and possessionis, baith propirtie and tennandrie, quhilkis pertenit to umquhill William Lord Saltoun, and of the mariage of his are or aris contenit in the said gift, and ordanis the said gift to be deliverit to him; for the quhilkis caussis the said Patrik Erle Bothuell and Johne Lord Borthuik hes bundin and oblist thaim, conjunctly and severalie, to content and pay to my Lord Governour and my Lord Thesaurar in his behalff or to releff his Grace and Thesaurar forsaid, of the soume of iii^{m} lĭ. usuell money of this realme at the handis of George Meldrum of Five, at sik days and termes as can be agreeit betwix my Lord Governour and Lord Thesaurar and the said Lard of Five, for payment to him of the said soum; and the said Patrik Erle Bothuel hes bundin and oblist him to releiff the said John Lord Borthuik anent the payment of the said soume.

The samyn day, becaus it is understand to my Lord Governour and Lordis of Counsel, that thair is twa giftis maid and past of the ward, mariage, releiff, and nonentries of the landis and lordschip of Saltoun, baith propirte and tennendry, ane to Patrik Erl Bothuel, and ane uther to George Meldrum of Five; viz., the Erle Bothuellis gift for the compositioun of the soum of iij^{m} lĭ., and the said Lard of Five gift for the compositioun of iiij^{m} lĭ.; nochttheles my Lord Governour and Lordis of Counsel hes ordanit that my Lord Thesaurar sall nocht be chargit in his comptis bot with the soum of iij^{m} lĭ., and that for the compositioun of the said Erlis gift alanerlie; and becaus it is understand that thair is j^{m} lĭ. deliverit at my Lord Governouris command to the Parsoun of Disart, tharfor ordanis the said parsoun to deliuer

the samin agane to the said Lard of Five, and als hes declarit and declaris, that albeit that thair is diverse giftis past under the prive sele, that thair sall be na falt imputt thairthrow to the said Thesaurar, Keper of the Prive Sele, nor he sall incurr na danger nor displesour thairthrow.

Quinto Februarii, anno, etc. v^{c}xlv^{to}.

Presente, Domino Gubernatore. Sederunt. Cardinalis Cancellarius. Episcopus Candidecase. Comites—Huntlie, Errole, Bothuel. Abbates—Paslay, Culross. Dominus Sancti Johannis. Secretarius. Clericus Registri.

Thomas Commendatour of Drybureht askit instrumentis, that he requirit his malis of Inglisberry yardis fra Hew Lord Somervale of twa termes last bipast, and he refusit to deliver the samyn to him.

Eodem die post meridiem.

The quhilk day in presens of my Lord Governour and Lordis of Consale, Patrik Erle Bothuel hes tane in hand to cause thankfull payment to be maid to George Lord Hume, of the soume of the taxt assignit to him, within the boundis of his office of sherifchip betwix this and the xiij day of Februar instant, or ellis to deliver to my Lord Thesaurar letteres of hornying upoun thame, within the boundis of his said offices dewlie execute and indorsat, upoun thame that hes nocht payit thair part of the said taxt; and siclik the preceptouris quhair his officiaris are deforcit in executioun of thair office for non payment of the said taxt dewlie execut and indorsat as efferis.

The samyn day William Lord Ruithven Shereff of Perth, of his awin consent bindis and oblissis him to cum to Edinburgh the ferd day of Merche nixt to cum, and thair to mak just compt raknying and payment of the rest of the twa last taxtis awand be him and personis lyand within the boundis of his office and jurisdictioun; or ellis to bring and produce before the collectouris of baith the saidis taxtis, and to bring in with him the taxt roll, and deliver the copy thairof to the saidis collectoris, letteres of hornying quhair the personis awand [the said taxt . . . and put to the horne for][1] nonpaiyment thereof dewlie execut and indorsat, and siclik the letteres quhair his officiaris ar deforcit in poynding for the said taxt; and in the menetyme suspendis the executioun of the letteres purchest be Walter Scott of Bonhil, Knycht, and poynding contenit thairintill for the sowme of j^{c}lxxx li. quhill the said day; with certificatioun to the said Sheriff and he failye in the premissis, that the letteres purchest be the said Walter in the said mater sal be decernit to have effect, and put to executioun in all poyntis eftir the forme and tennour heirof, and siclik lettres to poind and distrenye him his landis and gudis for the rest of the saidis hale last twa taxt in forme as efferis.

[1] Supplied from the transcript.

Nono Februarij, anno, etc. v^{c}xlv^{to}.

Presentibus, Regina, et Gubernatore. Sederunt. Cardinalis Cancellarius. Episcopus Candidecase. Comites—Huntly, Ergile, Rothes, Menteith. Abbates—Paslay, Cowper, Glenluse. Domini—Flemying, Ruthven. Secretarius. Johannes Campble de Lundy Miles. Clericus Registri.

Anent the suplicatioun gevin in be Malcolme Commendatour of Quhithorne, makand mentioun that in this last taxt laitlie devisit be the Lordis of our Consale for sustentatioun of certane men on the Bordouris, he is taxt to pay als grete ane soume as ever the said abbay payt of befor, howbeit vexit thir thre yeris bigane because of the cummersum and evill wardill, he hes gottin na offerand as wes wont to be gottin, quhilk wes ane grete part of the said benefice, and siclik wantis the frutis of twa kirkis in Ilaman, and the frutis of the landis in Kyntire, quhair throw he may nocht pay as at mair lenth is contenit in the said suplicatioun; My Lord Governour and Lordis of Consale understanding that Malcolme Commendatour of Quhithorne wantis ane grete part of the proffit that he and his abbay wes in use to get, thairfor hes remitit and dischargit, and be the tennour heirof remittis and dischargis, to him the thrid part of his taxt of the soume within writtin, dischargeing the collectouris of the last taxt of xv^{m} ĭĭ. of all asking, craving and poynding of him bot for the thrid part of the samyn for the causis forsaid.

Eodem die post meridiem.

The quhilk day, becaus the discord, distance and displeasour betuix the Lordis Gentilmen and utheris of Teviotdale, is grete cause and the mater and ground quhy the realme of Scotland hes gottin grete skaith, and to the effect that thai may all concur togidder, to the defense of this realme and resisting of our auld innimyis of Ingland, with ane mynd without ony dissimulatioun, fere or dredour of ane fra utheris; Thairfor in presens of my Lord Governour and Lordis of Consale, Walter Ker of Cesfurd and Johne Ker of Farnihirst for thameselffiis and for Dowglas of Caverris, Sheref of Teviotdale and Dowglas of Bonjedburcht, and for all utheris thair kyn, freindis, men, tennentes, adherentes, allia, and part takkaris on that ane part, and Walter Scott of Branxholme Knycht Trumble of Bedroule for thameselffis, John Cranstoun of that Ilk, James Hoppryngill of Tynnes, and William Turnble of Mynto, and for all wtheris thair kyn, freindis, men, tennentes, allia, and part takaris on that uthir part, hes assurit and be the tennour heirof assuris, ilk ane utheris, in the law and by the law, to be unhurt, unharmit, unpersewit, and untrublit, athir of thaim be utheris in thair personis, landes, rowmes, possessionis, and gudis, induring the tyme of this present weir betwix the realmes of Scotland and Ingland; providing alwayis that it salbe lefull to every of thaim for thair awin part to persew thair civile actionis in the law againis utheris as efferis; and for the observing, fulfilling, and keping of this present assurance, ilk ane of thir partiis for thameselffis, thair kyn, freindis, men, tennentis,

and servandis, bindis, and oblissis, of thaim ilk ane to utheris, be the faith and treuthis in thair bodyis, the haly Evangellis tuichet, under the pane of perjure and infamete, and the parti failyeand never to be reput and haldin ane honest man in tymes cuming bot to be punist for the breking thairof at my Lord Governouris will. And in likwise, Johne Rutherfurd of Hunthill, Nychole Rutherfurd of Hundle, for thameselffis, Charles Rutherfurd and Rychart Rutherfurd, for thaimselffis, thair kyn, friendis, men, tennentes, and servandis on that ane part, and Walter Kar of Cessfurd Mark Kar of Littleden . . . [Kar of Graden][1] . . . for thair selfis, thair kyn, freindes, men, tennentis, and servandis on that uther part, hes assurit and be the tennour heirof assuris ilk ane utheris in maner abone writtin, unto the feist of Witsunday nixt to cum, providing alwayis it salbe lefull to every of thame to persew thair civile actionis in the law aganis utheris as efferis.

Apud Edinburgh, xxiij Maij, anno v^c^xlvj^to^.

Presente, Domino Gubernatore. Sederunt. Cardinalis Cancellarius. Episcopi—Candidecase, Dunblanensis, Orchadensis. Comes Errole. Abbates—Paslay, Dunfermling. Dominus Maxwell. Dominus Willelmus Hamiltoun.

The quhilk day, fforsamekle as my Lord Governour and Lordis of Consale understandand that thair is diverse of Marse and Teviotdale, that sittis undir assurance of Ingland, in contrar the tennour of the act maid thairupoun, incurrand the panis contenit thairintill; Thairfor my Lord Governour and Lordis of Consale ordanis the Justice Clerk to call all sic personis, that sittis undir assurance as said is quhais names salbe gevin in bill at particular justice courttis to undirly the lawis for the samyn, eftir the forme and tennour of the act maid thairupoun.

Apud Striveling, secundo die mensis Junij, anno Domini millesimo quingentesimo xlvj^to^.

Presentibus, Regina, et Gubernatore. Sederunt. Episcopi—Candidecase, Orchadensis. Comites—Angus, Huntly, Ergile, Bothuel, Glencarne, Cassillis, Sutherland. Abbates—Jacobus Commendatorius de Kelso et Melrose, Paslay, Dunfermling, Cowper, Carsragwell, Dryburgh, Culross. Domini—Flemyng, Ruthven, Maxwell, Somervell, Hay de Yestir, Invermeith, Elphinstoun.[2]

Apud Striveling, quinto die mensis Junij, anno, etc. v^c^xlvj^to^.

Presentibus, Regina, et Gubernatore. Sederunt. Episcopi—Candidecase, Orchadensis. Comites—Angus, Huntly, Ergille, Bothuel, Cassillis, Glencarne. Abbates—Paslay, Cowper, Dunfermling. Domini—Erskin, Flemyng, Maxwell, Ruthven, Somervell, Livingstoun. Secretarius. Domini—Georgius Douglas, Willelmus Hamiltoun.

The quhilk day, my Lord Governour in presens of the Quenis Grace and Lordis of Counsel hes chosin George Erle of Huntly Chancellar of the realme

[1] Supplied from the transcript.
[2] No Minute has been engrossed under this sederunt.

of Scotland quha hes acceptit the said office in and upoun him, and hes sworne that he sall lelely and trewlie minster in the said office of Chancellary, efter his wit cunnyng and knawlege, like as utheris Chancellaris hes done and usit in the said office in tymes bigane, and the Quenis Grace and Lordis of Consel thocht him hable thairfor; And in signe and takin thairof my said Lord Governour hes, in presens of the Quenis Grace and lordis forsadis, deliverit to the said Erle our Soverane Ladyis grete sele, and hes ordanit the Kingis Grace gret sele, quham God assolye, to be brokyn, off the quhilk that ane halff wes callit and schewin cuttit in presens of the Quenis Grace, my Lord Governour, and Lordis of Consel.

It is divisit and ordanit be the Quenis Grace, my Lord Governour and hale Lordis convenit in this present Conventioun, that certane Lordis remane with my Lord Governour and be off Secret Counsel with him in all materis, and that to remane monethlie with him and that to the nowmer of foure. And the first moneth to begyn this day, viz. the tent day of Junij instant.

Thir are the Lordis divisit to remane the first moneth and to begyn the said tent day of Junij instant, and to remane quhill the tent day of July nixt thairefter:

Inprimis Robert Bischop of Orkney.
George Erle of Huntlie.
William Lord Ruthven.
Sir George Douglas of Pettindreicht Knycht.

Thir ar the Lordis divisit to remane the second moneth and to begyn the said tent day of July, and to remane unto the tent day of August nixt thairefter:

Gawine Archbischop of Glasgw.
Archibald Erle of Angus.
Hew Lord Somervell.
George Abbot of Dunfermling.

Thir ar the Lordis divisit for the thrid moneth and to begyn the said tent day of August, and to remane quhill the tent day of September nixt thairefter:

Williame bischop of Dunblane.
Archibald Erle of Ergile.
William Erle of Glencarne.
Donald Abbot of Cowper.

Thir ar the Lordis divisit for the ferd moneth, and to begyn the said tent day of September, and to remane quhill the tent day of October nixt thairefter:

Patrik Bischop of Murray.
Patrik Erle Bothuel.
Gilbert Erle of Cassillis.
Malcolm Lord Flemyng.

Thir ar the Lordis divisit for the fift moneth, and to begyn the said tent day of October, and to remane quhill the tent day of Nouember nixt thairefter.

William Erle Merschell.
William Erle of Montrose.
Andro Bischop of Galloway.
Sir William Hammyltoun of Sanquhair, Knycht.

Item, it is divisit and ordanit that my Lordis Thesaurar, Secretar, Comptroller and Clerk of Consell and Justice Clerk and Advocatt be of Counsel and to remane continualie thairupoun.

Item, it is divisit and ordanit that quhen thir five monethis ar furth runin, and the Lordis hes biddin thair monethis eftir the maner and ordour forsaid, that the foure Lordis that began the first moneth viz. at the tent day of Junij sall entir agane the said tent day of November and remane during the space of ane moneth, and siclik the remanent of the Lordis abonewrittin to cum and remane be the said space of ane moneth, ilkane of thame in thair awine rowme efter the forme, maner, and ordour befor appointit.

Item, nochtwithstanding this divisioun of the Lordis of Counsel, divisit to remane with my Lord Governour monethlie, it is divisit and ordanit that quhen ony utheris of the Lordis of Counsel befor namyt, cummys or happynnis to be present, that thai salbe of Counsel with my Lord Governour and the foure lordis that sall happynnit in that moneth with his grace for the tyme.[1]

Item, becaus the Lordis Erskin and Levingstoun, Lordis chosin to be of Secret Consel, may nocht remane with my Lord Governour becaus of the keping of our Soverane Ladyis persoun, nochttheles it is divisit and thocht expedient that quhen any of tham cummys that thai salbe of Counsel with my Lord Governour as said is.

[1] There is in the Record edition of the Acts passed during Queen Mary's reign an adjustment of the same kind for four Members of the Council serving in rotation (Act Parl. Scot., ii. 598). The service of the first four begins on the 20th day of March 1546, and the adjustment comes to an end on the 20th of the ensuing August. This would not only overlap the arrangement in the Register of Council, beginning on the 10th day of June, but there is an adjustment printed in the Acts as well as in those contained in the Register, a provision for the recommencement of the routine when the specific period provided for is exhausted. It does not appear from the Register that the persons selected formed a predominant or even a considerable portion of the attendants at the meetings of the "Secret Council." Thus the sederunt on the 23d of May 1546 were, the Cardinal, the Bishops of Galloway, Dunblane, and Orkney, the Earl of Errol, the Abbots of Paisley and Dunfermline, and the Lords Maxwell and William Hamilton. The four appointed for that period were the Bishops of Dunblane, the Earl of Argyle, the Earl of Glencairn, and the Abbot of Cupar. The rotation given in the Acts has the appearance of an uncompleted document. It will be observed that at the first meeting under the new rotation, the 11th of June, all the four assigned for the month beginning on the previous day were present.

Apud Striveling, undecimo die mensis Junij, anno, etc. v^c^xlvj^to^.

Presentibus, Regina, et Gubernatore. Sederunt. Episcopi—Candidecase, Orchadensis. Comites—Angus, Huntlie Cancellarius, Ergile, Bothuel, Cassillis, Glencarne. Abbates—Paslay, Cowper, Dunfermling. Domini—Erskin, Flemyng, Maxwell, Ruthven, Livingstoun, Somervell. Secretarius. Dominus Georgius Douglas. Dominus Willelmus Hamyltoun de Sanquhar.

The quhilk day, the Quenis Grace, my Lord Governour, and Lordis of Counsel, understandand that the personis that committit the cruel slauchter of umquhile ane maist reverend fader in God, David Archbischop of Sanctandrois, Cardinal Legate Apostolik and Chancellar of Scotland, with utheris that ar cumin to thame sensyne and takis the said slauchter planelie upoun thame, hes takin and withholdis the castel of Sanctandrois, and ar planelie fortifijt, menteinyt, helpit, and suppleit with otheris our Soverane Ladyis liegis, quilk is prejudiciale to hir Graces autoritie. Tharefor ordanis letteres to be direct to heraldis, pursevantis, masseris, and utheris officiaris of armes, chargeing thame that tha pas to the mercat croces of the burrowis of Dunde, Perth, Forfar, Cowper, Sanctandrois, Edinburgh, pere of Leith, Kirkcaldy, Disart, Kingorne, Crale, Hadington, Northberwik, Dunbar, and all utheris places neidful, and thair, be oppin proclamatioun, command and charge all and sindry our said Soverane Ladyis liegis, of quhat degree that evir tha be of, that nane of thame tak upoun hand to pas, commoun, talk, nor speik with any of the saidis personis being within the said castel of Sanctandrois, within the samin or outwith, be thair selffis, messengeris or ony uther immediate personis; nor yit tak upoun hand to sell, or furnes thame with ony mete, drynk, quhete, bere, malt, mele, flour, nor salt, fish, flesh, fyre, or ony maner of gunneris munitioun, or wappynnis, awther be sey or land, under the pane of tinsel of lyff, landis, and gudis, with certificatioun to tham and tha falye, that tha salbe callit to particular diettis and scharplie punist thairfor as accordis with all rigour.

Item, it is devisit and ordanit, that my Lord Secretar direct speciale writingis to all and sindry Baronis, Landit men, and utheris Gentilmen dwelland within the shereffdome of Fiff, quhais names salbe gevin in porteous, to cum to my Lord Governour and Lordis of Secrete Counsel at sik day and place as sal be assignit to tham, for thair avise and counsel to be had in sik thingis as salbe schawne to thame at thair cuming, and to accept sik chargis as salbe gevin to thame thairupoun.

The quhilk day, becaus my Lord of Huntlie, quha wes namyt ane of the Lordis of Counsel to have remanyt with my Lord Governour for the first moneth, as at mair lenth is contenit in the actis maid thairupon of befor, and now is promovit to the office of Chancellarie; Tharefor the Quenis Grace, my Lord Governour and Lordis of Counsel, hes chosin and adjunyt George Lord Setoun to the noumer of the Lordis of Counsel chosin of befor,

and ordanis him to be in the place of the said Erle of Huntly, and to remane the first moneth according to the statute and ordinance maid thairupon.

The quhilk day, my Lord Governour in presens of the Quenis Grace and Lordis of Counsel, for gude concurrance to be had for the commoun wele of the realme and stanching of divisioun, hes dischargit the contract and band maid to him be quhatsomeuir noble men of the realme, anentis our Soverane Ladyis meriage, and sall distroy the samyn, and dischargis all noble men that hes consentit thairto of the said band, and siclik the Quenis Grace hes dischargit all bandis maid to hir be all maner of noble men incontrair the said contract, and als my Lord Governour, with avise of the Quenis Grace and Lordis of Counsal, hes dischargit and dischargis all bandis betuix the noble men of the realme and utheris and decernis the samin to be of nane avale, force, nor effect in all tymes to cum, conforme to the auld act of parliament maid thairupoun.[1]

And als my Lord Governour hes declarit that he will reward all noble men of the realme, every man in his awne degre, for his gude service done and to be done to the Quenis Grace and the autorite to thair contentatioun in sa fer as he may.

The quhilk day, my Lord Governour, with avise of the Quenis Grace and Lordis of Counsell, understandand that thair is grete convocatioun maid in the realme for putting and laying of men furth of thair takkis and stedingis, and siclik to resist to the Lordis of the ground, thair ballies and officiaris to lay thame furth, quhilk is the occasioun of gret truble and slauchter amongis our Soverane Ladyis lieges; Tharefor it is statute and ordanit that lettres be direct to all Sheriffis, Stewartis, Ballies and thair Deputis, and to utheris officiaris of the Quenis, Sheriffis in that part, to pas to the mercat croces of the heid burrowis of the schiris, and thare, be oppin proclamatioun, command and charge all and sindry our Soverane Ladyis liegis of quhat degre that evir tha be, that nane of thame tak upoun hand to mak ony convocatioun for putting and laying furth of any tennentis, bot that tha be thare selffis thair ballies and officiaris lay furth the sadis tennentis gudis or dourlie, conforme to lawis of the realm observit and kepit in tymes begane, nor yit that na maner of tennentis mak ony convocatioun or gadering for resistence to thair Lordis of the ground, thair ballies and officiaris in the executioun of thair offices, under the panis contenit in the actis of parliament maid aganis thame that makis ony gaderingis or convocationis; with certificatioun to thame that dois in the contrair, that tha salbe callit at particular diettis, and salbe punist thairfor with all rigour as accordis. And giff ony personis thinkis thame offendit be utheris, ordanis thame to call owther criminalie or civilie, and justice salbe minsterit as accordis.

Item, it is statute and ordanit that the Quenis Grace, my Lord Governour and Lordis of Counsal, sall convene in Edinburgh upoun Monunday the xxviij

[1] Leagues or bands between subjects prohibited, and such as are made not to be observed —1424, c. 24, ii. 7.

day of Junij instant, and thare to remane and counsal upoun sik thingis as concernis the wele of the realme, defensis and libertie thairof, and utheris affaris of the samin.

The quhilk day, in presens of the Quenis Grace, my Lord Governour and Lordis of Counsel, comperit Robert Lord Maxwell, and schew and declarit how that our Soverane Ladyis hous of Lochmaben wes tane fra him, quhilk he had in keping of befor, and now hes tane upoun him the office of ward-annre of the West Marchis of this realme, quhilk he may nocht wele execute without he have the said hous agane, The quhilk desire my Lord Governor being avisit with the Quenis Grace and Lordis of Counsel, tha all in ane vote conselit and consentit that my Lord Governour suld cause the said hous to be deliverit to the said Lord Maxwell, and my Lord Governour, at the avise and consel forsaid, grantit to deliver the samin to him; and than presentlie the said Lord Maxwell tuke upon him to kepe the said hous surelie fra Inglismen, and fra all utheris to be furthcumand to the Quenis Grace my Lord Governour and the auctorite upoun his lyff and heritage, providing always that giff the said Lord Maxwel bes chargit to entir agane in Ingland, he sall advertise my Lord Governour thairof upon xv days warnying to ressave the said hous fra him, and sall deliver the samyn to my Lord Governour or quham he plesis deput to . . . . . ane gret army of Ingland to cum and persew the said hous swa that he may nocht gudlie resist thairto, he sall advertise my Lord Governour thairof upoun the premunitioun of days to ressave the said hous fra him, and sall deliver the samin to my Lord Governour in maner forsaid; and als giff it sall plese the said Lord Maxwell that he will nocht kepe the said hous he sall advertise my Lord Governour and declar his mynd thairintill upoun the premunitioun of xv days, and sall deliver the same in maner foresaid. And in like maner the said Lord bindis and oblissis him that he sall nocht strenth nor prepar the said hous utherwais nor it is now presentlie without avise of my Lord Governour and Lordis of Consel. And for observying and keping of all and sindry the premissis for the part of the said Lord Maxwell, Archibald Erle of Angus, Gilbert Erle of Cassillis, Malcolm Lord Flemyng, and James Douglas of Drumlangrik, being personalie present, hes bundin and oblist thame conjunctlie and severalie, renunceand the benefite of division, as cautioneris and souerteis for him under the pane of xx^{m} ĺ.; and nochtwithstanding the premissis, the said Robert Lord Maxwell hes protestit that in caise he leiff the said hous in maner abone writtin, that the samin sall be na hurt nor prejudice to him anentis his takkis he hes of the samin and landis pertenand thairto.

The quhilk day, my Lord Governour, with avise of the Quenis Grace and Lordis of Counsal, understandand that throw the occasioun of this troublous tyme, and grete inobedience maid baith to God and man in the committing of diverse enorme and exhorbitant crymes, it is dred and ferit, that evill disponit personis will invaid, distroy, cast doun, and withhald abbays, abbay places, kirkis, alswele paroche kirkis as utheris religious places, freris of all

ordouris, nunreis, chapellis and utheris spirituale mennis houssis, aganis the lawis of God and man, and incontrair the liberte and fredome of halikirk and actis of parliament maid thairupoun observit and kepit in all tymes bigane; and for eschewing and stopping of all sik inconvenientis it is divisit, statute, and ordanit that lettres be direct our all partis of this realme, and all Shereffis, Stewartis, Ballies, and thair Deputis, and to the Provostis, Aldermen, and Ballies of burrowis, and to vtheris officiaris of the Quenis, Shereffs in that part, chargeing tham to pas to the mercat croces of all burrowis within this realme, and thare, be oppin proclamatioun, command and charge all and sindry our Soverane Ladyis liegis, that nane of thame tak upon hand . . . . . ony of the saidis kirkis, religious places, or utheris kirkis and kirkmennis houssis forsaidis, or to withhald, intromitt, or tak the samin at thair awine hand be way of deid in ony tymes cuming, or to spulze the jowellis or ornamentis of the kirk ordanit for Goddis service and dedicat to the samyn, under the pane of tinsell of lyff, landis, and gudis. And giff ony sik kirkmennis houssis or places be ellis takin be quhatsumevir personis, ordanis the takaris and withhaldaris of the samin to restor and deliver the samin again to the awneris thairof and thair factoris, under the said pane, and ordanis this Act to be ratiffyt in Parliament.

The quhilk day, my Lord Governour and Lordis of Counsel with consent of Malcolme Lord Flemyng, ordanis lettres to be direct to relax James Twedy of Drummelyar fra the proces of the horne led upon him for noncomperance befor our Soverane Ladyis Justice and his Deputis, for to underly the lawis for certane crimes imputt to him, unto the thrid day of July nixt to cum inclusive. And William Twedy, sone to the said James, hes promittit to cause his fader to answer to the summondis raisit be the said Lord againis the said James befor the Lordis of Sessioun upoun Monunday, viz., the xxviij day of Junij instant, nochtwithstanding diett, table or continuatioun of utheris summondis; and David Hammiltoun of Prestoun is becumin cautioun and souertie that the said James Twedy sall hald ferme and stable all thingis that the said William hes promittit in his faderis name in the premissis.

The samyn day, my Lord Governour askit instrumentis that he consentit to the delivering of the hous of Lochmaben to the Lord Maxwell with the avise of the Quenis Grace and Lordis of Counsel.

The samyn day, in presens of the Quenis Grace, my Lord Governour and Lordis of Secrete Counsale, Archibald Erle of Angus, Gilbert Erle of Cassillis, Robert Lord Maxwell, and Schir George Douglas, hes ratiffyt and approvit, and be the tennour herof ratiffyis and approvis, the act maid in parliament off the dissolutioun of the pece and the contract of mariage maid betuix the realm of Ingland and this realme,[1] and hes dischargit and discharges all

[1] The contract of marriage between the Queen and the Prince of Wales annulled, because the King of England had seized some Scotch ships, and had broken the treaty of peace—1543, c. 2, 8, ii. 431, 444; Ratification of the dissolution of the marriage by the Lords who had not previously consented thereto—1546, c. 14, ii. 476.

bandis maid be thame or ony of thame to the King of Ingland, and renuncis the samin for evir, and is content, in the next parliament, to mak ane act of the ratificatioun of the samyn, and of thair consent hereto as efferis.

Apud Ardrossane, xviij° Junij, anno, etc. v^c^xlvj^to^.

Presente, Domino Gubernatore. Sederunt. Episcopus Orchadensis. Comites—Ergadie, Cassillis. Abbates—Paslay, Cowper. Dominus Georgeus Douglass.

The quhilk day, in presens of my Lord Governour and Lordis of Counsel comperit Archibald Erle of Ergile, on that ane part, and James Cannochtson on that uther part, and ather of tham for thame selff, thair kyn, freindis, men, tennentis, servandis, adherentis, allya, and part takaris, hes assurit and be the tennour heirof assuris ilkane utheris to be unhurt, unharmit, unvexit, and persewit ather of thame be utheris in thair personis, landis, or gudis in the law or by the law, siclik and in the samin maner as assouerance wes wont to be takin and gevin betwix the said Erle on that ane part and the said James on that uther part. And hereto baith the sadis partiis bindis and oblissis thame ilkane to utheris lelely and trewlie to observe and kepe the said assouerance during the space of ane moneth nixt efter the day of the dait herof, under the pane of perjure and infamyte, and in signe and takin herof my Lord Governour hes takyn baith thair handis.

Apud Edinburgh, xxvj^to^ Junij, anno, etc. v^c^xlvj^to^.

Presente, Domino Gubernatore. Sederunt. Episcopi—Candidecase, Orchadensis. Comites—Angus, Bothuel. Abbas de Pasleto. Domini—Borthwik, Hay de Yester. Secretarius. Dominus Georgeus Douglas, Adam Otterburn. Clericus Registri. M. Henricus Lauder, Advocatus.

The quhilk day, my Lord Governour with avise of the Lordis of Secrete Counsele, ordanis that four burgessis of Edinburgh, that is to say Patrik Flemyng, ballie of Edinburgh, Robert Watsoun, Henry Cranston, William Akinheid and Johnne Achisoun, to pas to the port of Leith and thare to tak cure and diligence that the vittale now takin be the Lyoun and hir cumpany be commounlie sauld to our Soverane Ladyis liegis upon this side of the Watter of Forth without regrating or selling in grete to ony personis; and ordanis the capitane of the Lyoun and quartermaister of the samyn, that tha redelie answer to the saidis burgessis and that na ry be sauld dearer nor xxv s. the boll, and the quhete for xl s. the boll watter mete, as tha will answer to the Quenis Grace and my Lord Governour thairupoun, with certificatioun to thame and tha failye that tha sal be callit as regratouris and punist thairfor according to the lawis of the realm.

The samyn day, James Hammiltoun of Inverwik is becumin cautioun and souertie for William Forestar capitane of the Lyoun, that he shall compere

in jugement befor the Lordis of Secrete Counsel and answer in caise ony questioun or clame be movit aganis him as capitane of the Lyoun, for the taking of the gudis now being in the pryses takyn be him and his cumpany, in safer as concernis the said Williamys awine part as law will, under the pane of ij^{c} ℔., and the said William Forestar hes bundin and oblist him to releif the said James anent the said souertie.

Williame Scott skippar of the Lyoun hes fundin Williame Kelour dwelland in Disart, cautioun and souertie for him, that he sall compere in jugement in maner forsaid, and the said William Scott bindis and oblissis him to releff the said William Kelour anent the said souertie.

James Andersoun, capitane of the bark callit the Marie Galland, hes fundin Archibald Gourlay cautioun and souertie for him that he sall compere in jugement in maner forsaid, and the said James bindis and oblissis him to releif the said Archibald anent the said souirtie.

Thomas Richartsoun ane of the quarter maisteris of the Lyoun hes fundin Johnne Robertsoun in Disart cautioner and souertie for him in maner forsaid, and the said Thomas Richartsoun bindis and oblissis him to releiff the said Johne Robertsoun anent the said souertie.

James Dawsoun souertie for Alexander Gray and the said Alexander Gray souerte for the said James Dawsoun, and the said James Dawsoun and Alexander Gray ar becumyn souerteis for Johnne King, and ilkane of thame for his awine part.

Gilbert Quhite is becumin cautioun and souertie for William Cowe and the said William Cowe souertie for the said Gilbert, that tha and ilkane of thame sall compere in jugement in maner forsaid, and answer ilk man for his awine part as accordis.

Apud Edinburgh, penultimo die mensis Julii, anno Domini millesimo quingentesimo quadragesimo sexto.

Presentibus, Regina, et Gubernatore. Sederunt. Gavinius Archiepiscopus Glasguensis. Episcopi—Candidecase, Orchadensis. Comites—Huntlie Cancellarius, Angus, Bothwel, Cassillis, Merschell. Abbates—Paslay, Cowper, Dryburgh, Dunfermling. Domini—Flemyng, Ruthven, Setoun, Hume, Lindesay de Byris, Hay de Yester, Somervell, Glammys, Elphinstoun. Secretarius. Dominus Georgeus Douglas, Willelmus Hammylton de Sancquhar, milites. Clericus Registri.

The quhilk day, fforsamekle as it is understand to my Lord Governour and Lordis of Counsall, that Norman Lesly feir of Rothes, James Kirkcaldy of the Grange, William Kirkcaldy his eldest sone, David Kirkcaldy his brothair, Johne Kirkcaldy, Patrik Kirkcaldy, George Kirkcaldy brothair to

the said James, Thomas Kirkcaldy his sone, Petir Carmichell of Balmadde, Johne Lesly of Parkhill, Alexander Inglis, James Mailvile elder and his sone, Johne Mailvile bastard sone to the Laird of Raith, Alexander Mailvile, David Carmichell, Gilbert Geddes younger, Robert Muncreif brothair to the Laird of Tibbermello, William Symsone, Alexander Andersoun, David Balfour brother to the Laird of Monquhany, Thomas Cunynhame, Nicholl Harte, William Guthre, John Sibbald brothair to the Laird of Cuksone, Petir Carmichell servand, Walter Mailvile elder, Walter Mailvile youngar, Schir Johne Auchinlek chaplane, Nicholl Lermond, Schir Johne Young chaplane, Dauid Kirkcaldy cuke, Niniane Cokburne, Johne Poll gunnar, William Orrok, Schir James Lyell chaplane, Johne Rollok, and Andro Canyow, ar summond at oure Soverane Ladys instance and my said Lord Governouris to have compeirit and to have underlyne the sensiment off parliament, for the tressonabill slauchter of umquhile David Cardinale Archbischop of Sanctandrois Chancellar of Scotland, and for the taking and withhalding of the castell of Sanctandrois, sege vacant, as in the said summondis is at mair lenth contenit; and becaus the said umquhile Cardinale Chancellar hes mony greit freindis in Fiff, Lowthiane, Angus and uthairis pairtes quhairthrow the saidis personis may allege ane feir and dredour that thai may nocht cum to allege thair defenssis in the said mater, nor have sure passage to the toun of Edinburgh, thairfor ordanis letteres to be direct to officeris of the Quenis, Sheriffis in that part, to pas, comand and charge all and sindry our Soverane Ladyis liegis, be oppin proclamatioun at the mercat crosis of the burrowis of Edinburgh and Cowper, and utheris places neidfull, that nane of thame tak upone hand to mak ony molestatioun, truble, or inpediment to the saidis personis in thair bodeis, landis, and gudis utherwayis than law will, bot that tha may frelie cum to the burcht of Edinburgh, pas and repas thairfra, and vise thair defenssis aganis the said summondis as accordis, under the pane of tynsell of life, landis, and gudis.

Apud Edinburgh, penultimo Julij, anno xlvj°.

The quhilk day, my Lord Governour and Lordis of Secrete Counsall understandand the varience betwix ane noble and mychty lord, George Erle of Huntlie Chancellar of Scotland on that ane part, and William Maister of Forbes on that uthair pairt, and haveand respect to the articlis gevin in be athair of thame aganis uthairis, Tharefor, and for certane uthairis ressonable causis and considerationis movyng, my said Lord Governour and Lordis forsaidis, hes thocht expedient, divisit and ordanit for the suretie of my Lord Chancellaris persoun and keiping of gude reule in the cuntre be the said Maister of Forbes, his kyn, freindis, and servandis, that the said William Maister of Forbes sall, with all dilligence, entir thair plegis underwrittin to remane in sik place as it sall pleise my Lord Governour and Counsall to depute thame. That is to say Arthour Forbes brothair germane to the said Maister Forbes, young lard of Petslego, Forbes, young lard of Brux, and Maister

Duncan Forbes tutour of Carsinda and, unto the tyme the saidis personis plegis enterit as said is, ordanis the said William Maister of Forbes, to inter remane himself in waird, in sik place as it sall pleise my Lord Governour to assigne to him to that effect.

Apud Edinburgh, ultimo Julij, anno, etc. v^{c}xlvj^{to}.

Presentibus, Regina, et Gubernatore. Sederunt. Gavinus Glasguensis Archiepiscopus. Episcopi—Candidecase . . . . . Comites—Huntly Cancellarius, Angus, Bothwel, Merschell, Cassillis. Postulatus Aberdonensis,[1] Postulatus Dunkeldensis.[2] Abbates—Dunfermling, Cowper, Lundoris, Dryburgh, Culross, Carsrogwell. Domini—Flemyng, Ruthven, Seton, Hume, Hay de Yester, Glammys, Somervell, Elphynston. Magistri—Forbes, Ogilvy. Secretarius. Domini—Georgeus Douglas, Johannes Campbell, Adam Otterburn, Milites. Clericus Justiciarie. M. Henricus Balnavis.

The quhilk day, it is fundin be the Prelatis, Erlis, Lordis, and Barronis abone writtin, that our Soverane Lady and my Lord Governour had just cause to raise summondis off tresone upoun Norman Lesly fear of Rothes, and uthairis his complices, conmitteris of the cruell slauchter of umquhile David Cardinale Archbischop of Sanctandrois Chancellar of Scotland, and taking and withhalding of the castell and place of Sanctandrois, etc. sede vacante.

Apud Edinburgh, tertio Augusti, anno, etc. v^{c}xlvj^{to}.

Presentibus, Regina, et Gubernatore. Sederunt. Archiepiscopus Glasguensis. Episcopi—Candidecase, Dunblanensis, Orchadensis. Comites—Huntlie Cancellarius, Angus, Ergile, Bothwell, Merschell, Cassillis, Glencarne. Electi—Dunkeldensis, Aberdonensis. Abbates—Cowper, Dunfermling, Driburgh, Lindoris, Culross, Corsragwell. Domini—Flemyng, Ruthven, Hume, Setoun, Somervell, Glammys, Borthwik, Hay de Yester, Somervill, Sancti Johannis. Secretarius. Domini—Georgeus Douglas, Johannes Campble, Adam Otterburn, Willelmus Hammiltoun de Sanquhar, Milites. Clericus Registri. Advocatus. Clericus Justiciarie. M. Henricus Balnavis. Magistri—Erskin, Ogilvy, Montrose, Forbes. Barones—Vicecomes de Air,[3] Lochinvar,[4] Drumlangrik,[5] Bargany,[6] Blarquhan,[7] Bomby,[8] Coldenknowis,[9] Sauchy.[10]

The quhilk day, it being inquirit be my Lord Chancellar at the haill Prelatis, Erlis, Lordis, and Barronis abonewrittin, quhether, giff it be tresoun to

[1] William Gordon, son of the Earl of Huntly, successor to Bishop William Stewart. He appears to have been consecrated between the date of the minute and the ensuing March.—Registrum Episcop. Abred. lix.

[2] John Hamilton, afterwards Archbishop of St. Andrews, entered in other minutes as Abbot of Paisley.

[3] Hew Campbell of Loudoun.

[4] James Gordon. [5] James Douglas.

[6] Thomas Kennedy. [7] James Kennedy.

[8] M'Lellan. [9] John Home. [10] Shaw

sla ane Chancellar of the realme or nocht; quha all declairit that conforme to the commoun law it wes tresoun to sla the Chancellar, and acceptit the interpretatioun of the law—Quisquis ad legem Juliam Majestatis.

The said day, becaus of the variance betwix Gilbert Erle of Cassillis on that ane pairt, and James Gordoun of Lochinver on that uthair pairt, it is thocht expedient be the haill Lordis that the Quenis grace, my Lord Governour, and thar Lordis underwrittin,—that is to say, Erles of Angus, Huntlie Chancellar, Ergile, Bothwel, Merschell, the bischopis of Gallaway, Orknay, the Abbat of Paslay, the Lord Ruthven, and Schir George Douglas,—convene efter none, and see and considder thair clames and rychttis, to the effect that thai avise thairwith, and gif thair avise and counsall for concord to be had amangis thaim in tymis to cum.

Apud Dunbertane, Julij, anno, etc. v^{c}xlvi^{to}.

The quhilk day, in presens of my Lord Governour and Lordis of Secrete Counsale, comperit Johne Simple lard of Fulud, and his eldest sone Johnne Simple, and hes dischargeit, for him self, his sonnis, and tennentis, the Capitane of Dunbertane and all his, of all maner of reiffis, spulzeis, oppressionis, slauchteris, allegit to have bene committit be the saidis Capitane and his complices upoun him or thaim befor the dait heirof, and sall gif ane plane letter of discharg how sone the samin can be writtin, and oblissis him never to cum in the contrar heirof, nor to persew the saidis spulzeis, oppressionis, or skaithis in tyme to cum; and als to gif ane plane letter of slains to the said Capitane for the slauchteris committit upoun him and his freindis, the said Capitane doand siclik for his part; and instantlie my Lord Governour hes promeist and fund the Lard of Prestoun souerte, togidder with his Grace, that he sall recompens the said lard of Fulwod of all reiffis, spulzeis, and uthairis skaithis sustenit be the said lard of Fulwod, and done be the Capitane or his complices, at the sicht of my lordis Paslay and Simple, and my Lord Governour sall releif the said Lard of Preston; and als this samin day, my lordis Paslay and Simple, and the lard of Foulwod are becumin souerteis and cautioneris, that all the gudis takin fra the Capitane of Dunbartane and his complices, being within the said castell sen my Lord Governouris cuming to the sege, salbe justlie and afatelie restorit to the said Capitane and his complices forsaidis, sameikle as thai may sufficientlie prove befor my Lord Governour and the Counsale to haif bene takin fra thame, and that thai want, and instantlie my Lord Governour hes oblist him to releif the lordis forsaid, and thai all thre togidder to releif the Lard of Foulwod, be the lordis forsaidis betwix this letter Marymess.

The quhilk day, myLord Governour and Lordis of Secret Counsel, ordanis the remissioun grantit to the Capitane of Dumbertane, and all his complices, expremit in the signatour, sall presentlie be past throw the signet, togidder with uthairis his letteres of infeftment of his landis afor my Lord Gover-

nouris departing furth of Dumbertane, and salbe sufficiently warrant to the Capitane and all his complices expremit, unto the tyme the Capitane may haif the prive and greit seill raissit in dew form upon the saidis remissioun and infeftment, quhilkis seillis, all and haill, togiddir with writting, and all uthair necessar ordour thairto, my Lord Governour and Lordis of Counsale ordanis to be past for to thaim and every ane of thaim, as thai sall requir, togiddir with ane remissioun to Robert Steward, brother germane to Matho, sumtyme Erle of Levinox, and his complices, contenit in his remissioun in the samin maner; and ferther ordanis that eftir the delivering of the house of Dunbertane, my Lord Governour, the Lardis of Buchquannane and Bischoptoun, quha become souerteis under the panis of x^m ℔ for the said Capitane, as the act maid thairupoun mair fullielie proportis, sal be this present act sufficientlie dischargeit of the forsaid act maid in quhilk thai become souerteis for the said Capitane, and grantis that this present act in every point sall haif the strenth and effect of ane decret, and the said pledge to be incontinent deliverit eftir the deliverance of the place.

Apud Edinburgh . . . anno v^cxlvj^{to}.

Presentibus, Regina, et Gubernatore. Sederunt. Comites—Huntly Cancellarius, Angus, Ergile, Bothwel, Cassillis. Domini—Flemyng, Ruthven, Somervell. Secretarius. Dominus Georgius Douglas. Clericus Registri. Willelmus Hammiltoun.

The quhilk day, my Lord Governour, with avise of the Lordis of Counsall, hes chosin William Lord Ruthven Keper of the Privie Sele, quha hes acceptit the said office in and apoun him, and hes ordanit my Lorde of Dunkeld, of his awne consent, to deliver the said sele to him to be keipit be him in maner forsaid, and the said Lord protestit that he suld nocht he haldin to answer for ony thingis past be the privie sele, bot for the thingis that passis throw the samin fra this day furth.

The quhilk day, it is thocht expedient be oure Soverane Lady the Quenis grace, my Lord Governour, and thre estaitis of this realme, and lieges thairof, that the comprehensioun maid for this realme and liegis of the samin in the contract of pece laitlie taikin betuix the maist cristyne King of France and the King of England, suld be accepit, without prejudice of hir grace, hir realme, and liberteis.

Apud Edinburgh, xvj Augustij, anno, etc. v^cxlvj^{to}.

Presentibus, Regina, et Gubernatore. Sederunt. Comes—Huntlie Cancellarius. Episcopi—Dunkeldensis, Candidecase, Dunblanensis, Orchadensis. Comites—Angus, Ergile, Bothwel, Cassillis, Glencarne. Abbates—Cowper, Culross. Domini—Flemyng, Hume, Somervell, Invermeth. Clericus Registri.

The quhilk day, in presens of the Quenis grace, my Lord Governour and Lordis of Counsel, comperit George Hennersoun of Fordalis, provost of Edin-

burgh, and schew how that he conforme to the Act maid of befor past at command thairof, and maid prices upoun the wittalis and uthair stufe takin in the prisis laitlie cumyn in to Leith conforme to this writing under writtin, off the quhilk the tennour followis: At Edinburgh the xvj day of August the yeir of God $j^{m}v^{c}$ and xlvj yeiris, the prices of wittalis and utheris gudis laitlie cumin be the last prisis taikin be the Cristofeir and hir fyve schippis in company, be the Prevost, Bailleis, and Counsall of Edinburgh: In the first the boll of quheit, watter mett, xxx s.; the boll of ry, watter mett, xx s.; the hundreith wanescott, xx ℔; the hundreith dailis, xv ℔; the scoir lynt, viij ℔; the stane of walx, xiij s. iiij d.; the last of assis, xij ℔; the last of tar, xij ℔; the last of pik, xij ℔; the quhilk ordinance and prices forsaidis my Lord Governour and Lordis of Counsale thocht gude and ressonable for the commoun weill of this realme and liegis thairof; thairfor ordanis letteres to be direct to command and charge all and sindry awneris, maisteris, skipperis, quarteris maisteris, and utheris partiner of the saidis prisis, that nane of thame tak upoun hand to sell the saidis wittalis and gudis of hiear prices nor is abone writtin, under the pane of confiscatioun of all thair gudis movable, and punissing of thair personis at oure Soverane Lady and my Lord Governouris will, and to be callit thairfor at particular diettis.

In presens of the Lordis of Counsall comperit William Maister of Forbes, and gaif in this writting underwrittin subscryvit with his hand, and desyrit the samin to be insert in the bukis of Counsall and to have the strenth of ane act and decreit of the saidis Lordis; the quhilk desyre the saidis Lordis thocht ressonable, and ordanit the said writting to be registrat in the saidis bukis of counsall and to have the strenth of ane act and decreit of the saidis lordis, and ordanis letteres to be direct to command and charge, compell, poynd, and distrenye the said William Maister of Forbes to fulfill the samyn, of the quhilk the tennour followis: The quhilk day that forsamekle as it hes plesit my Lord Governour to freith William Maister of Forbes furth of waird of the castell of Edinburgh, quhair he wes ordanit be decreit of the Lordis of Secrete Counsall to remane ay and quhill he deliverit certane plegges namit in the said decreit to my Lord Governour, in keiping for gude reule to be keipit be him, his kyn, freindis, and servandis in the cuntre, and for securite of my lord of Huntly Chancellar that his persoun suld be harmeles and skaithles of the said William and all that he mycht latt; Thairfor the said William Maister of Forbes is contentit to pass with my said lord Chancellare lyeutennent in the north partis of this realme, and remane in fre waird within ony place the Eirle of Huntlie forsaid pleissis to assigne, ay and quhill the saidis plegis be deliverit to him, or sic uthairis as he salbe contentit with, and oblisis him to keip the said waird, and nocht to pass out of the samin without licence of the said Lord Lieutennent, under the pane of ten^{m} ℔b. in witness of the quhilk I the said Maister of Forbes hes subscryvit this writ with my hand.

In presens of the Lordis of Counsel comperit Johne Lawmond of Inverryn, Dougal Campbel young lord of Auchinbrek, and Lauchlin McLauchlane of that Ilk, and gaiff in this writing underwrittin subscrivit with thair handis, and desyrit the samin to be insert in the bukis of Counsall and to have the strenth of ane act and decreit of the saidis Lordis:[1] The quhilk desyre, the saidis Lordis thocht ressonable and ordanit the said writing to be registratt in the saidis bukis of Counsale and to haif the strenth of ane act and decreit of the saidis Lordis, and ordanis letteres to be direct to command and charge, compell, poynd and distrenye thame to fulfill the samin, of the quhilk the tennour followis: The quhilk day in presens of my Lord Governour and Lordis of Counsall comperit Johne Lawmond Inverrin Knycht, as air and successour of tailze of umquhile Duncane Lawmond his fader, and umquhile Johne Lawmond of Inverryn his said faderis brothair, and thair consentit to answer befor the Lordis of oure Soverane Ladyis Sessioun the xxvj day of November nixtocum to quhatsumevir clame, sempill supplicatioun, bill or summondis, that Agnes Lawmond, as air of the dochteris and airis of lyne of the said umquhile Johne and Lauchlane Maklauchlane of Scatlauchlane oy, and as an utheris of the saidis airis of lyne or ony of thame plesit to persew, tuiching the reductioun of the infeftmentis, chartour, or chartouris of talye, or of new giftis and confirmatioun and ratificatioun maid to the said umquhile Johne, Duncan or to him selff, of the landis of Inverrin, Ardlawmond and utheris specifiit in thame be umquhile our Soverane Lordis, King James the Feird and King James the Fift, with the seisingis, retouris, and all that followit thairupoun, or tuiching the ground richt of the samyn as thai sall libell and qualify, and that process be led thairupoun with all diligence and expeditioun conforme to justice without diett or tabill at the instance of the saidis personis, or of ony of thame, as airis of lyne forsaidis, or otherwayis, albeit thai be nocht servit nor retourit the saidis airis; and that day to produce the saidis charteris and infeftmentis, the copy alwayis of the said clame, supplicatioun, bill or summondis being deliverit to him or to Maister Hew Rige or Maister Thomas Merjoribankis, his procuratouris, be the space of xv dayis of befor, quhairupoun the said Lauchlane for him selff and Dowgall Campbell as procuratour for the said Agnes and oy to hir, and sall to the effect abonewrittin produce, the said xxvj day, ane sufficient procuratory of Agnes his gudem and his fader, and askit act and instrumentis.

[1] Although this minute refers to private rights and obligations connected with the settlement of property in certain lands, it is given in full as a specimen of one of the earlier methods of obtaining the security of judicial registration for transactions relating to land, and certain other classes of contracts. We have here an early instance of the growth, not only of the Registers of Sasines and other law rights which became so conspicuous a feature in Scotland, but also of the peculiar arrangement still known as the clause of "registration for execution," by which the parties to a transaction bound themselves to hold, that the terms of their agreement being registered in the books of a court, are equivalent to the decree of such court, and can be put in force accordingly, without further judicial interposition.

Apud Edinburgh xxj mensis Augusti anno, etc., v^c xlvj^to.

Sederunt. Comes de Huntly Cancellarius. Episcopi—Candidecase, Dumblanensis, Orchadensis. Comites—Angus, Ergile, Bothwel, Cassillis, Merschell. Abbates—Cowper, Dunfermling; Electus Dunkeldensis, Electus Aberdonensis. Domini—Ruthven, Flemyng, Borthwik, Hay de Yester. Secretarius. Dominus Georgeus Douglas. Clericus Registri. Clericus Justiciarie. M. Henricus Lauder.

It is divisit, statute, and ordanit, be my Lord Governour and Lordis of Counsel, that for assegeing of the Castell of Sanctandrois, and recovering of the samin furth of the handis of our Soverane Ladyis rebellis and traitouris being thairintill, that the realme be dividit in four quarteris as efter followis: that is to say, for the first quarter Est and West Louthane, Strivelingschire, Linlithgowschire, Perth be west Tay, Stewartryis of Stratherne and Menteith; secund quarter, Perth be Est Tay, Forfar and Kincardin; the thrid quarter, Aberdene, Elgyn, Forres, Banff; and for the ferd quarter, Lanerk, Renfrew, Dumbertane, Kyle, Carrik, and Cunygam.

The quhilk day, forsamekill as Normin Leslie, sumtyme Fear of Rothes, James Kirkcaldy sumtyme of the Grange, Petir Carmichell sumtyme of Balmaddy, John Leslie sumtyme of Parkhill, and utheris, thair complices, committeris of the crewell slauchter of umquhile David, Cardinale, Archbischop of Sanctandrois Cardinale, and Chancellar of Scotland, takkaris and withhalderis of the Castell of Sanctandrois, ar denuncit our Soverane Ladyis rebellis and traitouris, and for punissment thairof and recovering of the said Castell furth of thair handis, and of my Lord Governouris sone being thairintill, my Lord Governour and Lordis of Counsall hes thocht necessar and expedient to assege the samin. Thairfor ordanis letteres to be direct to Shereffis of Edinburgh, principal, and within the constabillare of Hadingtoun, Linlithcow, Stryviling, Perth, Stewartis of Stratherne and Menteytht, and thair Deputis, and to officeris of the Quenis, Schereffis in that pairt, chargeing thame to pas to the mercat croces of the saidis schiris and utheris pairtis neidfull, and thair be oppin proclamatioun, command and charge all and sindry, Eirlis, Lordis, Barronis, Landit, and Gentill men, and utheris substantious Yemen, men dwelland within the boundis forsaidis, baith to burgh and to land, als wele regalite as rielte, dwelland upoun spretuell mennis landis as temporale mennis landis, that thai weill bodin in feir of weir, in thair maist substantious maner, be in Santandrois the xxix day of August instant, weill furneist to remane thairintill unto the xviij day of September nixt efter thair cuming to the said toun, to the effect forsaid, under the pane of tynsall of life, landis, and gudis.

The quhilk day, that forsamekle as thair is ane pece taikin betwix the maist

cristine King of France on that ane pairt, and the King of Ingland on that uthair pairt, into the quhilk oure Soverane Ladye, hir realme and subjectis, ar comprehendit, quhilk comprehensioun is acceptit be oure said Soverane Lady, with avise of the three estaitis of this realme.

The quhilk day, forsamekle as thair is ane pece takin and standand betwix oure Soverane Lady and hir derrest uncle the King of Ingland, quha hes writtin to hir Grace, schawand that thair is certane Scottis schippis in the est seis and utheris places, that dailie takis, rubbis, and spulzeis his schippis and liegis of his realme pasand to and fra, desyrand thairfor hir Grace to put remeid thairto for keping of the said pece, tharfor ordanis letteres to be direct to officiaris of the Quenis, Schereffis in that pairt, to pass to the mercat croces of Edinburgh and Kingorne, Disart and Pettynveme, Kirkcaldy, Inverkeithing, Quenisferrie, pere and schore of Leith, Dunde, Aberdene, Montrose, Are, Irwyne, Dumbertane, Glasgu, and uthair places neidfull, and thair be oppin proclamatioun command and charge all and sindry, oure Soverane Ladyis liegis, that nane of them tak upoun hand to pas furth in weirfair, unto the tyme thai cum to my Lord Governour and Lordis of Counsall, and have his Graces licence, under our Soverane Ladyis preive seill, or greit signett, and subscriptioun of my Lord Governour, with sik restrictionis as salbe gevin to thame under the pane of tinsale of life, landis, and gudis; and gif ony schippis happinis to depairt, that nane of thaim tak upoun hand to invaid, tak, truble, or molest ony Inglis schippis, under the pane forsaid.

Apud Edinburgh, xxiiij Augusti, anno, etc. v^{c}xlvj^{to}.

Presente, Domino Gubernatore. Sederunt. Episcopi—Dunkeldensis, Orchadensis. Comites—Angus, Cassillis. Abbates—Cowper, Dunfermling. Adam Otterburn. Clericus Registri.

The quhilk day, that forsamekle as it wes avisit befor be my Lord Governour and Lordis of Counsale—that the apprehensioun of Norman Leslie sumtyme fear of Rothes, James Kirkcaldy of the Grange, Petir Carmichell of Balmadde, Johne Leslie of Parkhill, and thair complices, our Soverane Ladyis tratouris and rebellis, and recovering of the Castell of Sanctandrois furth of their handis, that the said castell suld be assegit—and to that effect it wes thocht expedient that the realme suld be devidit in four quarteris, and every quarter to remane with my Lord Governour at the said assege for the space of xx dayis, and the first quarter to begin upoun the xxix daye of August instant, and to remane with his Grace unto the xviij day of Septymber nixt thairefter; and that his Grace suld nocht be dissolat of men, the secund quarter to begin tua dayis befor the outrynning of the said xx^{ty} dayis: and safurth quarterlie during the tyme of the said assege, as in the first act and ordinance maid thairupon is at mair lenth contenit,[1] Thairfor ordanis lettres to be direct to the Schereffis of Perth be Est Tay, Forfair,

[1] See p. 38.

and Kincardin, and thair Deputes, and to utheris officiaris of the Quenis, Schereffis in that pairt, chargeing thame to pass to the mercat crossis of all borrowis within the saidis schiris, and utheris places neidfull, and thair be oppin proclamatioun, command and charge all and sindry Eirlis, Lordis, Barronis, Landit men, Gentillmen, and uthair substantious Yemen, men dwelland within the boundis forsaidis, baith to burgh and to land, alsweill regalite as rialte, dwelland upoun spretuale mennis landis as temporale mennis landis, that thai, weill bodin in feir of weir, in thair maist substantious maner, be in Sanctandrois the xvj day of September nixt to cum, weill furneist, to remane thairintill unto the vj day of October nixt efter thair cuming to the said toun to the effect forsaid, under the pane of tinsell of lif, landis, and gudis.

Item, siclik letteres to be direct to the thrid quarter in the samin sort and maner.

Item, siclik letteres to be direct to the feird quarter in the samin sort and maner.

The quhilk day, it is ordanit be my Lord Governour and Lordis of Counsale that na maner of signaturis, pertenyng other the Quenis causualities or propirte nor uthair letteres of importance pertenyng the office of saratorie, salbe fra this furth subscryvit without the samin be brocht to my Lord Governour be the officer quhais office the said letteris pertenis to, and that of the samin pertinit to the Thesaurer for the tyme, the compositioun thairof sal be maid be the Thesaurer and siclik present with my Lord and the Counsall or ever the said Thesaurer syence the samin to my Lord Governour, and siclik nane of the uthair officiaris sall present letteris of importance to my Lord Governour concernyng thair office without the samin be first sene be the counsall present with my Lord Governour for the tyme, and will that this ordinance be observit, keipit, and registratt fra this furth.

The quhilk day, comperit Johne Cant, and fand himself and Walter Cant, being personelie present, cautioneris and souerteis conjunctlie and severalie, that v^{c}xxxj polkis alias ballis of waid salbe furthcumand to Johan Deboyis, and all uthairis Franchmen pretendand to have entries thairto as law will; and siclik ar becumin cautioneris and souerteis conjunctlie and severalie, that gif the said Johne or ony uthairis Franchmen can proif ma polkis or ballis of waid intromittit with be the said Johne nor said is, that the samyn salbe furthcumand and answer thairfor as law will.

The quhilk day, comperit in presens of my Lord Governour and Lordis of Counsall Patrik Eirle Bothuel, and William Lord Ruthven, and band and oblist thaim conjunctlie and severalie that the said Eirle schip callit the Mary and hir four barkis, to quhame my Lord Governour hes gevin licence to

pas in weirfair upoun quhatsumever oure innymeis except Flemyngis and Hollandaris, alsweill haifand salf conductis, attestationis, or testymonyalis of the Quene of Ungarie as uthairis of that natioun with quhome thair is commoning, for renewing of the auld alliance betuix this realme and thai partis, sall nocht tak ony schippis or gudis of the saidis nationis nor nane uthairis except thame that his licence promittis. And gif the captanis, skipperis, and quartermaisteris of the said schip and hir barkis dois in the contrar, the saidis Eirle and Lord Ruthuen bindis and oblissis thame as said is to refound and deliver the samin agane to the persone fra quhame the samin hapins to be taikin, but fraud or guile, and the said Eirle hes oblist him to relief the said Lord Ruthuen of all skaith that may incure throw the said cautioun.

Apud Sanctum Andream, xv^to^ Septembris, anno, etc. v^c^ et xlvj^to^.

The quhilk day my Lord Governour and Lordis of Counsale, being riplie avisit upoun ane bill gevin in befor thame be Robert Stewart brouther germane to Mathow sumtyme Eirle of Levinnox, quhairof the desire wes; that he mycht haif letteres to mak him be anserit of the frutis and emolumentis pertening to the provostrie of Dumbertane, the quhilk he allegis himself to be lauchful providit heirupoun, The said Lord Governour and Lordis of Prevy Counsale maid this answer and ordanit the samin to be insert in the bukis of Counsale; that forsameikile as my Lord Governour, efter the passing of the said Robert to the realme of Ingland and pairt-taking with his brouther, namyt be vertew of ane Act of parliament sertane personis to be providit to all beneficis that the said Robert had richt to afore his passing in Ingland, and efter his returnyng to the Castell of Dumbertane the said Robert for getting of his remissioun of sik termes as mycht have bene and unto his charge submittit himself in every behalf to tak sik appuntnament as wald pleis my Lord Governour and Lordis of Counsall to mak him, to the effect that he mycht heirefter remane within this realme as trew and faithfull subject to the Quenis grace, as ane act thairupoun registratt in the bukis of counsall mair fullalie proportis. And that be vertew of the said submissioun my Lord Governour be avise of the Lordis forsaidis, hes gevin thair ordanyng the said Robert to leif the benifficis that he had richt to afor his passing in Ingland and to be maid sure of als meikile proffett yeirlie in pentioun as he mycht haif spendit baith of his bishopric and provestrie at the time of his depairting furth of this realme. Quhilk decreit my Lord Governour in presens of the saidis Lordis of Counsale hes offerit to fulfill unto him, he levand his saidis beneficis according to the tennour of the said act, and standis at the submissioun, quhilk the said Robert hes refusit to do; quhair-upoun my Lord Governour hes askit act protesting that he be na ferder bundin to keip that thing that wes promeist unto the said Robert at Dumbertane, becaus he refuisit to stand at his submissioun and obli-gatioun in that behalf.

Apud Sanctum Andream, ultimo Septembris, anno, etc., v^c et xlvj^to.

The quhilk day, my Lord Governour and Lordis of Counsall, understandand that James Gordoun of Lochinver, at the requeist and desyre of my said Lord Governour, hes left or will leif the place and abbay of Glenluce quhill the feist of Yule nixt to cum to be keipit and usit be the abbot and convent of Glenluce as thai sall think expedient; heirfor comperit Gilbert Eirle of Cassillis, in presens of my Lord Governour and Lordis forsaidis, and band and oblist him, under the pane of ten thousand pundis, That he sall nocht persew be himself, his kin, freindis, assistaris, or part-takaris, the said abbay and place of Glenluce, or to intromet or uptak ony maner of proffittis pertenyng thairto, unto the said feist of Yule nixt to cum and viij dayis thairefter, providing that he use his baillirie of the said abbay as of befor, and that the said James obey my Lord Governouris requeist and charge gevin upoun the premissis.

In presens of the Lordis of Counsale, comperit ane reverend fader in God, Johne Bischop of Dunkeld, procuratour for ane noble and mychty prence, James Eirle of Arrane, Lord Hammiltoun, tutour to our Soverane Lady, Protectour and Governour of hir realme, and Jane Hammiltoun his dochter on that ane part; and Gilbert Eirle of Cassillis for himself, and Gilbert Kennedy Maister of Cassillis, his sone and appeirand air on that uthair pairt; and gaif in this appointment under writtin, subscryvit with baith thair handis, and desyrit the samin to be insert in the bukis of our Soverane Ladyis counsall, and to have the strenth of ane act and decreit, and letteres to be direct to command and charge, compell, poynd, and distrenye thame for the fulfilling thairof, ilk ane of thame for thair awin part. The quhilk desyre the saidis lordis thocht ressonable, and ordanit the said appointment to be insert in the saidis bukis of Counsale, and to haif the strenth of ane act and decreit of the said lordis, and letteres to be direct to command and charge, direct, compell, poynd and distrenye ilk ane of the saidis parteis for the fulfilling thairof, ilk ane of thame for thair awin pairt to uthairis, of the quhilk the tennour followis: At Dumbertane the tent day of Julij, the yeir of God j^m.v^c.xlvi yeiris, It is appointit, concordit, and fynalie endit, betwix honourable parteis, That is to say, James Eirle of Arran, Lord Hammiltoun, etc., Protectour and Governour of the realme of Scotland, and Jane Hammiltoun his dochter on that ane part, and Gilbert Eirle of Cassillis and Gilbert Kennedy Maister of Cassillis, his sone and appeirand air, on that uthair pairt, in maner, forme, and effect, as efter followis: That is to say, the said Gilbert Kennedy, Maister forsaid, sall, God willing, mary and have to his wife the said Jane Hammiltoun, dochter to the said Lord Governour, and solempnizat the samin in face of haly kirk, howsone thai be of lauchfull aige, and the said Gilbert Eirle of Cassillis sall put the saidis Gilbert Kennedy and Jane Hammiltoun in connjunct feftment of all and haill the xliij merkis worth of land of auld extent of Cassillis, next adjacent to the Castell of Cassillis, with the said castell, fortalice, yairdis, orchartis, mylneis, fischingis, parkis,

medowis, pairtis and pendeculis thairof and thair pertinentis, lyand within the barrony of Cassillis, Baillire of Carreik and Scherefdome of Air, and thai without providite of the saidis Eirleis charter tallie to be holdin of our Soverane Lady and hir successouris as Countes of Carreik, and that to be done befor the completting of the said meriaige, efor the quhilkis conjunct feftment to be gevin and meriage to be compleittit as said is. The said Lord Governour sall gif in tocher with his said dochter to the said Eirle and his airis the soume of tua thousand, thre hundreith, and threttе thre pundis vj s. viij d. at the termes followand; that is to say, at the completting of the said meriaige the soume of tua thousand merkis, and yeirlie thairefter to be payt of five hundreith pundis ay and quhill the said soume of tua thousand, thre hundreith, threttе iij ℔ vi s. viij d. be compleitlie payit; and to the observing and fulfilling of all and sindry the premissis, baith the saidis parteis ar bundin, oblist, and sworne, and ar content and consentis, that this present contract be actit and registratt in the bukis of Counsale and to have the strenth of ane decreit of the Lordis thairof, and that letteres be direct to compell athair of thame to fulfill the samin to uthairis in forme as effeiris, and in cace this present contract be nocht maid in dew forme as accordis to the weill of baith the saidis parteis, ayther of thame oblissis thame to uthairis, to renew and mak the samin of new als oft as neid beis quhill athair of thame be contentit thairwith to the effect forsaid, or the samin be actit in the saidis bukis; in witness of the quhilk thing, the said Lord Governour hes subscryvit this present contract for himself and in the name of his said dochter and the said Gilbert Erle of Cassillis subscryvit the samyn contract for himself and in the name and behalfe of the said Gilbert Kennedy his sone, day, yeir and place forsaidis, befor thir witnes, Schir William Hammiltoun of Sanchquhair, Knycht, and Neill Layng, with uthairis diverse.

The quhilk day, William Eirle of Glencarne, and Gilbert Eirle of Cassillis, Borthwik of Gordownishall, and James Forsythe of Nyde, are become cautioneris and souerteis for Capitane Johne Borthwik, that he sall pas to the Castell of Borthwik, and thair to remain in fre waird thairintill and within twa mylnis about the samin, and nocht for to depart furth of the said castell and boundis forsaidis unto the tyme he optene my Lord Governouris licence thairupoun, under the pane of x^{m} ℔.

Apud Sanctum Andream, secundo Octobris, anno, etc. v^{c}xlvj^{to}.

Sederunt. Episcopi—Dunkeldensis, Moraviensis. Comites—Angus, Ergile, Bothwel. Postulatus Rossensis.[1] Adam Otterburn de Reidhall, Willelmus Hammiltoun de Sanchar, Milites. Clericus Registri.

The quhilk day, it is thocht expedient be the Lordis abonewrittin that ane commissioun be maid to certane personis to pas in Ingland, wele instructit

[1] David Paniter or Painter, Secretary of State, succeeded Robert Cairncross as Bishop of Ross in 1546.

for to offir to the King of Ingland the acceptatioun of the comprehensioun of the Quenis grace, this hir realme and liegis thairof, maid in the article and treate last past betuix the Kingis of France and Ingland and efter the forme of the articulis send thairupoun with Monsieur de Mandoise, and ask the King of Ingland consumatioun thairupoun.

. . . . . a possable diligence advertise my Lord Governour and Lordis of Counsel of the King of Inglandis utir answer, and sall remane till the answer cum agane.

Item, that ane commissioun be maid to the saidis ambassadouris that passis in Ingland, to commone, treate, and conclude upoun ane pece and abstinance of weir as salbe devisit for ane space lang or schort, efter the informe of the instructionis and articlis to be gevin in that behalf.

Item, in cais the King of Ingland will nocht accept the comprehensioun in maner and forme as it is maid, that ane persone have power and commissioun to pass to the King of France, and schaw in quhat poyntis this realm is dampnagit and skaithit throw the said generall comprehensioun, and gif the King of Ingland will mak weir upoun this realme and invaid the samin, to require thairfor the King of France be vertew of his leig to declare the King of Ingland his innemy, and defend, supple, and debait this realme conform to the treateis past betuix the Kingis of Fraunce and Scotland, and thair predecessouris of befor.

Apud Sanctum Andream, quinto Octobris, anno, etc. v^{c}xlvj^{to}.

Sederunt. Episcopi—Dunkeldensis, Moraviensis,[1] Candidecase. Comes Craufurdie. Abbates—Cowper, Dunfermling, Glenluse, Culross. Dominus Willelmus Hamiltoun de Sanchar, Miles. Clericus Registri.

The quhilk day, the Lordis of Counsall assignes to Maister Thomas Gaderair of his awne consent the xj day of November nixt to cum, to compere befor my Lord Governour and Lordis of Counsale, and to mak and gif compt, reknyng, and payment of all soumes of money, and all uthair gudis and geir intromettit with be him pertenyng to umquhile Alexander Bischope of Murray, and now pertenyng, or that uthair wayis pertene, to our Soverane Lady and my Lord Governour throw his deceise, with certificatioun to him and he failye, that the Lordis will proceid in the said matter and do thairefter that accordis upoun the law.

Apud Sanctum Andream, sexto Octobris, anno, etc. v^{c}xlvj^{to}.

Sederunt. Episcopi—Dunkeldensis, Moraviensis, Candidecase. Comes Craufurdie. Abbates—Dunfermling, Cowper, Culross, Glenluse. Willelmus Hamiltoun de Sanquhar, Miles. Clericus Registri.

The quhilk day, my Lord Governour, with avise of the Lordis of Counsale, ordanis that forsameikile as his Grace and Justice principale ar in Sanct-

[1] Patrick Hepburn, son of Patrick Earl of Bothwell.

androis, and may nocht repair to ony uthair places, particularlie indurand the assege of the Castell of Sanctandrois to quhome the haill Barronis and grete men of the cuntre dailie repairis, Thairfor hes devisit, statute, and ordanit that na particulare diettes of justice courtis be sett in ony place or toun bot in Sanctandrois, and that all particular courtis ellis to be haldin in Edinburgh or ony uthair places be discharget, and dischargeis the samin, without prejudice of raising of new letteres for halding of siclik courtis justiciare in Sanctandrois induryng the tyme of the assege of the samin.

The quhilk day, my Lord Governour and Lordis of Counsall, being informit that thair is diverse Scottis schippis makand furth in weirfair upoun the Spanyertis, Portingallis, and uthairis nationis throw pretens of ane letter of mark maid to Gilbert Scott duelland in Deip be the king of France, quhilk is na caus quhy Scottis men suld invaid thame, and throw the said Gilbertis rycht maid to thaim thairupoun.[1] Thairfor ordanis letteres to be direct to officiaris of the Quenis, Scheriffis in that pairt, to pas to the mercat croces of Edinburgh, pere and schoir of Leith and places neidfull, and thair, be oppin proclamatioun, command and charge all and sindry our Soverane Ladyis liegis, That nane of thaim tak upoun hand to mak ony truble or molestatioun to ony Portingalis or Spanyardis or uthair nationes, be vertew of the said letter of mark maid to the said Gilbert Scott as said is, nor yit be nane uthair letter of mark maid, grantit, or gevin be our said Soverane Lady or hir predecessoris with avise of my Lord Governour, to ony maner of persoun or personis except [the letter of mark grantit to Johanne][2]

. . . . . .

be himself, his capitanis, his schippis

. . . . . .

be ony richt of him without the samin be maid with avise of my Lord Governour, and gif ony man dois uthairwayse, thai salbe haldin and repute as pirates and innymeis to the commoun weill.

The quhilk day, my Lord Governour with avise of the Lordis of Counsale hes dischargeit, and be the tennour heirof dischargeis, all custummeris within the realme of Scotland nochtwithstanding ony letteres maid to thame be the Kingis grace quhome God assolye, the Quenis grace with avise of my Lord Governour, becaus it is express aganis the actis of Parliament that na custummer sall be bot fra yeir to yeir, and makis, constitutis, and ordanis the Comptrollar to be Custummer Generale of the realme of Scotland, and to put sik custummeris as he sall depute under him as he sall answer for to the weill and proffeit of our Soverane Lady, and ordanis the Comptrollar to mak intymatioun to all custummeris to as effeiris.

[1] See above, p. 10, as to letter of mark to Gilbert Scot.
[2] Supplied from the transcript.

Apud Edinburgh, xxix Octobris, anno, etc. v^{c}xlvj^{to}.

In presens of the Lordis of Counsall compeirit Thomas Sinclair, procuratour for Johne Keith of Balmure, and Alexander Keith of Pettyndrum, specialie constitute be thir letteres of procuratory subscryvit with thair handis and under the seill of James Innes of Crome, procurit be thame, and gaif in this obligatioun underwrittin subscryvit, in likeues subscryvit with thair handis; desyrand the samin to be insert in the bukis of Counsall, and to have the strenth of ane act and decrete of the Lordis thairof, and thai to interpone thair autorate to the samin with executirilis thairupoun. The quhilk desyre, the saidis Lordis thocht ressonable, and ordanit the said obligatioun to be registratt in the saidis bukis of Counsale, and to have the strenth of ane act and decrete of the saidis Lordis, and letteres to be direct to command and charge, compell, poynd, and distrenye the saidis Johne and Alexander, conjunctly and severalie, for the fulfilling of the samin in all poyntis, efter the forme and tennour of the samin, of the quhilk obligatioun the tennour followis: Be it kend till all men be thir present letteres, us Johne Keith of Balmure, and Alexander Keith of Pettindrum, fforsameikile as Alexander Innes of that ilk, and Eliezabeth Forbes his spous, hes obtenit ane decrete of the Lordis of our Soverane Ladyis Counsale aganis me the said Johne Keith, decernying me to restore and deliver to thaim . . . . . lyand within the schereffdome of Aberdene, as at mair lenth is contenit in the said decrete, The quhilk decrete I, being of gude mynd to fulfill and obtemper and obey the samin in all pointis, Heirfor I the said Johne, and the said Alexander as cautioner and souerte for me, bindis and oblissis us conjunctlie and severalie and our airis, to content, pay, and thankfullie deliver to the said Alexander Innes and his spous forsaid, the saidis hundreith bollis ait meill, price of the boll forsaid, at the termes following, viz., the tane half thairof at the feist of Candlemess nixt to cum efter the day of the dait heirof, and the uthair half thairof at the feist of Pasche nixt efter, but fraud or gile, efter the forme and tennour of the said decrete, and heirto we bind and obliss us faythfullie, and our airis, in the maist stratest forme, and sikrest still of obligatioun that can be devisit and maid, and ar content of this oure obligatioun be registratt in the bukis of Counsall, and to have the strenth of the Lordis of Counsale, and letters and executorialis, to be direct thairupoun to conpell us heirto under the pane of hornyng, and gif we failye to put us to the horne. In witnes of the quhilk thing we have subscryvit this our present obligatioun with oure handis at Sanctandrois the xxvij day of October the yeir of God i^{m}v^{c}xlvj yeiris, befor thir witnes, John Bischope of Dunkeld, William Eirle Merschell, George Eirle of Arroll, George Meldrum of Fivy Knycht, Neill Layng, and Alexander Gibsoun, noteris publict, with uthairis diverse.[1]

[1] This instance of interposition for giving effect to an arrangement concerning private rights and obligations, is given at length instead of being abridged, as it is an instructive instance of one of the most common, and at the same time peculiarly national, methods of recording transactions, settling itself down into precedent and shape. See note above, p. 37.

Apud Sanctum Andream, xvij Novembris, anno, etc. v^c^xlvj^to^.

Sederunt. Episcopus Dunkeldensis. Comes Cassillis. Abbates—Cowper, Dunfermling, Culross. Dominus Lindesay. Johannes Campbell de Lundy, Miles. Clericus Registri.

The quhilk day, in presens of my Lord Governour and Lordis of Counsale, comperit Neill Mongomery of Langschaw, Knycht, and of his awin consent wes contentit to ressave in kindnes and favouris Charlis Mowat, Adame Mongomery, Hew Mongommry, Thomas Nevin, their kin, freindis, and servandis, and that becaus thai ar contentit to do steid and service to the said Schir Neill in tyme cuming . . . . . the Eirle of Eglintounis letter will, and the contract maid betwix the Comptes of Eglintoun and the said Schir Neill of befor, and inlikwis the said Schir Neill of his awin consent, as said is, is content, and byndis and oblisis him to asure the said Countes of Eglintoun, and hir servandis, to the nomer of xvj personis, with hir to cum, pass and repass saifle to the place and Castell of Polmowr, the xxv day of November instant, and thair the said Schir Neill sall schaw hir all the money, jowellis, evidentis, silver, veschell, cleithing, abulyeamentis, and all uthair insycht gudis and geir being in the said place the time the said Schir Neill intromettit thairwith, and mak ane inventour thairupoun; and gif the said Lady fyndis be the said inventour that schö hes hir conpleit geir schö left in the said place, he sall deliver the samin instantlie thairefter, with the place and bayrnis thairintill to the said Lady, schö gifand him ane sufficient discharge of the spulze and intromissioun with the said place, and all uthair gudis intromettit with be him, being thairintill the tyme of his intromissioun; and that this be done realie and with effect, my Lord Governour ordanis Sheir John Campbell of Lundy, Knycht, to pass and see the premessis be fulfillit in every punt as is abonewrittin, and to report the samin agane to his Grace as accordis.

The quhilk day, fforsameikill as efter the dome of forfaltour gevin in Parlyament aganis Norman Leslie sumtyme fear of Rothes, James Kirkcaldy sumtyme of Grange, and uthairis thair complices, committeris of the tresonable slauchter of umquhile David Archbischop of Sanctandrois, Cardinale and Chancellar of Scotland, etc., it wes divisit and ordanit be my Lord Governour and Lordis of Counsale, that he suld pas and asseige the Castell of Sanctandrois, to get and obtene the samin, with the tratouris and rebellis being thairintill, and to that effect that the realme suld be dividit in quarteris, and every quarter to cum and remane with my said Lord Governour for the space of xx^tj^ dayis durying the tyme of the said asseige, begynnand the first quarter be the inhabitantis of our Soverane Ladyis liegis dwelland in Lowthyane Est and West, Lynlithcowschire, Stryvilingschire, Stewartis of Stratherne and Menteith, and Perth be west Tay; for the secund quarter, [be est Tay, Forfair, and Kincardin; for the third quarter,][1] Aberdene,

[1] Supplied from the transcript.

Banff, Elgin, and Forres; and for the feird quarter, Lanark, Renfrew, Dumbertane, ballery of Kile, Carrik, and Cunynhame, as in the actis and ordinances maid thairupoun, and uthairis actis maid sensyne, as at mair lenth contenit.[1] And becaus all the saidis quarteris ar runnin furth, and that thair is na mentioun maid in the saidis actis and ordinance of Fiff, Clakmannane, and Kinross schiris, Tharfor my Lord Governour, with avise of the saidis Lordis of Counsale, hes ordanit letteres to be direct to officiaris of the Quenis, Schereffis in that pairt, to pass to the mercat crosis of all borrowis of the saidis schiris of Fiff, Kinross, and Clackmannane, and uthairis places neidfull, and thair, be oppin proclymatioun, command and charge all and sindrie Eirlis, Lordis, Barronis, landit men, gentlemen, and uthairis substantious yemen, men dwelland within the boundis forsaidis, baith to burgh and to land, alsweill regalite as ryalte, dwelland upoun spretuale mennis landis as temporall mennis landis, that thai and ilk ane of thame, weill bodin in feir of weir in thair maist substantious maner, be in Sanctandrois the first day of December nixt to cum, weill furneist to remane at the said seige unto the day of December nixt efter thair cuming, nochtwithstanding ony exceptiounis gevin in the contrar, under the pane of tinsal of life, landis, and gudis. Item, that siclik lettres be direct till every quarter in thair tour, efter the forme of the first act and ordinance maid thairupon, and to cum and remane for the space of xx^{tj} dayis, as is abone writtin.

Apud Sanctum Andream, vigesimo primo die mensis Novembris, anno, etc. v^{c}xlvj^{to}.

Sederunt. Episcopi—Dunkeldensis, Candidecase. Comes de Cassillis. Abbates—de Cupro, Dunfermling. Domini—Ruthven, Simple, Lindesay, Byris. Dominus Johannes Campbel de Lundy, Miles. Clericus Registri. Clericus Justiciarie. Advocatus.

In presens of the Lordis of Counsel comperit Dame Merioun Setoun Countes of Eglintoun on that ane part, and Schir Nele Montgomery of Langschaw Knycht, and producit this writing underwritten and wes contentit of the samin, and desyrit the samin to be insert in the bukis of Counsel and to have the strenth of ane act and decrete, The quhilk desire the sadis lordis thocht resonable and ordanit the said writing to be registrat in the sadis bukis of Counsel and to have the strenth of ane act and decreit of the saidis Lordis, and ordanis lettres to be direct to command and charge thame to fulfill the samin in all punctis, off the quhilk the tennour followis: The quhilk day, in presens of my Lord Governour and Lordis of Counsel, comperit Nele Montgomery of Langschaw Knycht and of his awne consent wes contentit to ressave in kyndnes and favouris Charles Mowate, Adam Montgomery, Thomas Nevin, thair kyn, freindis, and servandis, and that becaus thai ar content to do steid and service to the said Schir Neill in tymes cuming, unto the perfite age of

[1] See above, p. 38.

thair cheif and maister, conforme to the Erll of Eglintounis latter will, and the contract maid betuix the Countes of Eglintoun and the said Schir Neill of befoir; and inlikwise the said Schir Neill, of his awin consent as said is, is content and bindis and oblicisis him to assuir the said Countes of Eglintoun and hir servandis to the noumer of xvj personis with hir to cum, pas and repas saiflie to the place and Castell of Polnone to the xxv day of nouember instant, and thair the said Schir Neill sall schaw hir all the money, jowallis, evidentis, silver, weschell, cleithing, abulyeamentis, and all uthair insicht gudis and geir being in the said place the tyme the said Schir Neill intromettit thairwith, and mak an inventure thairupon; and gif the said Lady findis be the said inventour that schö hes hir complete gere schö left in the said place, he sall deliver the samin instantlie thaireftir with the place and barnis being thairintill to the said Lady, schö gevand him ane sufficient discharge of the spuilzie and intromissioun with the said place and all uthair gudis intromettit with be him, being thairintill the tyme of his intromissioun, and that this be done realie and with effect my Lord Governour ordanis Schir Johnne Campbell of Lundy, knycht, to pas and se the premissis be fulfillit in every point as is abone writtin, and to report the samin agane to his Grace as accordis.

Comperit Dame Marioun Setoun, Countes of Eglintoun, and wes contentit to abyde at the writing maid betwix Schir Nele Montgomery of Langschaw, Knicht, and Charlis Mowat, Adam Montgomery, and Thomas Nevin and uthairis off the dait at Sanctandrois the xvij day of November instant, the yere of God abone writtin; and conforme to the said writing wes contentit to giff and deliver to the said Schir Nele ane discharge of all jewellis, abilyementis, money, evidentis, silvir, veschell, clething, and all uthair insicht gudis, being in the place and castell of Polnone, in safer as schö ressavis, and to giff na farther discharge, and thairupon baith the partiis askit instrumentis.

In presens of the Lordis of Counsel comperit Dame Marioun Setoun, Countes of Eglintoun, on that ane pairt, and Schir Nele Montgomery of Langschaw, knycht, on that uthair pairt, and producit the copy of this contract and subscrivit the samin with thair handis in presens of the saidis Lordis, and consentit and desyrit that the samin suld be insert in the bukis of Counsel, and to have siclik strenth and effect as the said principale contract, and to have the strenth of ane act and decreit of the saidis Lordis. The quhilk desire the saidis Lordis thocht resonable, and ordanit the said contract to be insert in the saidis bukis of Counsell and to have the strenth of ane act and decrete of the saidis Lordis, and decernis and ordanis lettres to be direct to command and charge, compell, poynd, and distrenye, ilkane of the saidis partiis for the fulfilling thairof, ilkane of thame for thair awine pairt to uthairis eftir the forme and effect of the samin, off the quhilk contract the tennour followis: At Polnone penult day of September the yere of God $j^{m}v^{c}$ and xlvj yeris . . . . . .

. . . . . of Eglintoun tutrix testamentar to hir barnes and said umquhile Hew on that ane pairt, and Schir Neill Mongomery of Langschaw Knicht on that uthair pairt, anentis all debaitis, contraversijs and quarellis, descanit betwix athair of the saidis parteis unto the dait heirof, and for unite and concord and kyndnes, to be had and kepit betwix the said Dame Marioun, hir barnis and the said Schir Neill, and all the remanent of thair kin, freindis, servandis and allya pertenyng to the house of Eglintoun in maner, forme, and effect as efter followis: That is to say, the said Dame Marioun, be the tennour of thir presentis, gifis and transferis fra hir, all rycht clame and titile of rycht that schö hes instantlie in and to the ward of the landis and lordschip of Giffin, be resoune of assignatioun maid to hir thairof be hir said umquhile spous, unto the aige of the aire of Giffin of xxj yeiris conpleit, in the said Schir Neill, his airis and assignayis; and als gifis and assignys to the said Schir Neill the males, profittis and dewiteis of all and haill the landis of Newlandis, Tankartland, Mureley and Langsyde, with the mylne of the samin lyand in the lordschip of Cathcart and barony of Renfrew, in yeirlie feall to the said Schir Neill, quhill the air or airis of Eglintoun be of xvj yeiris of aige; and als the said Schir Neill sall have all the rycht that schö may mak to him of the landis pertenyng the Bregend and uthairis landis in Carrik, quhilkis pertenit to umquhile Hew Eirle of Eglintoun fader to the said Schir Neill, and soumes of money that lyis thairupone efter the forme and tennour of the contract maid betwix him and hir, and hir said umquhile spous anent the samin; and als the said Dame Marioun is contentit at the said Schir Neill haif the avantaige that he may get and obtene of the fre tennentreis of Ardrossane, except the properte thairof; and siclik the said Dame Marioun sall caus the house of Eglintoun be deliverit to the said Schir Neill sa sone as he pleisis, apoun xv dayis warnyng that schö may red hir geir furth of the samin; and als the said Dame Marioun sall content and pay to the said Schir Neill the soume of j^{m} merkis quhilk the said umquhile Hew Eirle of Eglintoun hir spous grantit to him for the saidis landis of Cathcart, efter the forme and tennour of ane contract maid betwix thame thairupoun at thir termes underwrittin; That is to say v^{c} merkis betwix and martymes nixt to cum ij^{cl} merkis at the martymes

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for the quhilk landis of Cathcart gevin in feall as said is, and the premissis abonewrittin, the said Schir Neill sall serve the said Dame Marioun Seytoun and the airis of the said umquhile Hew Eirle of Eglintoun hir spous unto thair aige of xvj yeiris, and sall manteyne and defend thair freindis, servandis, and tennentis pertenyng the haill house of Eglintoun, during the said space againis all deidlye, saifand the autorite of the Quenis grace and hir Governour. And the saidis freindis, servandis, and tennentis pertenyng to the house of Eglintoun, sall serve the said Schir Neill in our Soverane Ladyis weiris, and all uthairis the said Schir Neillis actionis, gude, lefull and honest, and in the uphald and defense of the weill of the said Dame Marioun, hir bayrnis and house of Eglintoun; and the said Schir Neill sall fortify and manteyine the said Dame Marionis baillies,

serjandis, and officeris in the inbrynging of the males, fermes, dewiteis, and leving, quhill the said Eirlis airis be of the said aige of xvj yeiris; and be thir presentis the faith and treuth of his body byndis and oblissis him thairto in band of manrent in the sikrest maner, but fraud or gile. The saidis Schir Neill entre in and to the saidis landis of Cathcart and Giffin, salbe at the nixt terme of Martymes, and in the crope of xlvj yeiris; and the said Schir Neill sall caus the said Dame Marioun, hir officeris and serjandis, be anserit, obeyit, and payit of the Lamess dett and all termes bigane with the nixt alhallowmes cane of the saidis landis of Cathcart and Giffin. And becaus it is understand to the said Dame Marioun that the said Schir Neill hes obtenit, or intendis to obtene, ane gift of the ward of nonnentres and releif of all and haill the lordschip and landis that pertenit to the said umquhile Hew Eirle of Eglintoun his fader, or ony pairt thairof, that the said Schir Neill for the causis abone expremit, in cace that the said lordschip of land be fundin in nonnentres, sall mak, in the maist ample forme and be thir presentis makis, the said Dame Marioun and hir airis his cessionarris and assignayis, in and to the said gift, exceppand the saidis landis of Cathcart and Giffin fre tennentreis of Ardrossane, the lordschip of Eglintoun, the landis of . . . . . end Cauldwel and Kilmawris, and all the said Schir Neillis proper land, and all uthairis tennentreis and money that lyis thairupoun, to the said Schir Neill; and the said Dame Marioun to have ane ressonable terce of Eglintoun, Torboltoun, and Gaustoun. And the said Schir Neill sall alwayis defend and keip at his utir powar the saidis landis fra decrete of nonentres, and gif that the samin may nocht defend theirfra, bot beis decernit in nonnentres, the said dame Marioun sall releif the said Schir Neill of ane pairt of his conpositioun at the Thesauraris handis, be the seycht and ordinance of Robert Lord Boyd of Kilmarnok and Robert Boyd his sone and thair appeirand. And for observing, fulfilling, and keiping of all and syndrie thir premissis, athair of the saidis parteis ar bund and oblist, and sworne in the maist strait form of obligatioun that can be divisit, and ar content that this present contract be extendit in mair ample forme, keipand the substance abonewrittin, be devise of men of law; and the samin to be registratt in the bukis of our Soverane Ladyis Counsall, and actit in the officialis bukis of Glesgow, and thai to ressave monytiones thairupoun upoun ten dayis wairning of ony of the saidis parteis. In witnes of the quhilk thing, baith the saidis parteis hes subscryvit thir presentis with thair handis, day, yeir, and place forsaid, befor thir witnes, Robert Maister Boyd, Adame Boyd in Penkill, Charles Mowat in Buskin, Adam Mongomery of Moorhouse, Robert Fergushill of that Ilk, Maister Johne Scott burges of Irwyne, Schir Allane Porterfeld chaplane, and Henry Prestoun noteris publict, with uthairis diverse.

Apud Sanctum Andream, vigesimo secundo Novembris, anno, etc. v^{c}xlvj^{to}.

The quhilk day, in presens of my Lord Governour and Lordis of Counsall, comperit Gilbert Eirle of Cassillis on that ane pairt, and hes bundin and

oblist him to cause William Abbot of Corsragwill . . . . . and emolymentis therof, and in likwise James Gordoun of Lochinver on that uthair pairt, hes bundin and oblist him to cause Maister William Gordoun dene of Dunblane, to gif over his takkis that he hes of the said abbay rentis and emolumentis thairof, betwix this and the xx day of December nixt to cum; and the said Abbot hes dischargeit, and be the tennour heirof dischargeis, the said Eirle, William Abbot of Corsragwill thair souerteis actit in the officialis bukis of Glasgow off the dait at Glasgow the xxv day of Januar the yeir of God j^{m}v^{c}xliiij yeiris for payment to him of the soume contenit in the said tak, and siclik hes dischargeit and dischargeis the said Lard of Lochinver and the said Maister William and thair souerteis actit in the officialis bukis of Edinburgh, for payment to him of the soume contenit in the said Maister Williamis tak. Attour, the said Abbot hes, in presens of my Lord Governour and Lordis of Counsale, promittit and promittis, that he sall nowthair sett his said abbay nor frutis and emolumentis to the said Eirle of Cassillis, na to the said James Gordoun of Lochinver, thair kin, freindis, nor servandis, bot hald the samin still in his awin handis, and uptak the frutis and emolumentis thairof be himself, his chalmerlaneis, and factouris; and for the mair securite, all the saidis parteis ar contentit that this present writing be insert in the bukis of counsale and to have the strenth of ane act and decret of the saidis lordis of counsale, with executorialis thairupoun; to compell thame to fulfill the samin in all pointis; in witness of the quhilkis, all the saidis personis hes subscryvit the samin with thair handis, day, yeir, and place forsaidis; Providing alwayis that my Lord of Cassillis satisfy and pay to the said Abbot the males and dewiteis taikin up be in tymes bigane be vertew of the said tak.

Gilbert Eirle of Cassillis askit instromentis, that becaus the Eirle of Cassillis and the Abbot of Glenluse ar appuntit, tharfor the said Abbot hes remittit the rancour of his hart to the Laird of Kinhilt, Freuch, and Garthland, and at his hame cuming the said gentill men to cum to the said Abbot, and he sall tak thame in favouris . . . . the tenantes and inhabitants of the . . . . . Glenluse rise with the said Eirle and pay ward and watch with him during the tyme of were in our Soverane Ladyis service and all uthair tymes conforme to the tak.

Apud Sanctum Andream, xxvj^{to} Novembris, anno xlvj^{to}.

Sederunt. Episcopus Dunkeldensis. Abbates—Cowper, Culross. Dominus Ruthven. Joannes Campbel de Lundy, Willelmus Hammiltoun de Sanchar, milites. Clericus Registri.

The quhilk day, my Lord Governour with avise of the Lordis of Counsale, havand respect that his Grace and the maist pairt of the nobles of the realme, ar continewalie for the maist pairt remanand in this toun and ar to cum to the samin to this present assege of the castell of Sanctandrois, and

undowtit it is that our Soverane Ladyis liegis repairand thairto may nocht want furnessing, bot man be servit; and be provisioun of God thair is ane Franche schip ladin with Scottis mennis wynnis arrivit in to the havin of Sanctandrois, quhairthrow necessar it is that ane competent price salbe put upoun the saidis wynis for to be sauld to our Soverane Ladyis liegis. And ferthair, the saidis Lordis havand considerationn of the grete dampnage sustenit be the awneris of the saidis wynis and of the lekkege, and the said schip is storit in hir incuming, and ane pairt of the punsionis of the saidis wynis ar full of salt watter, and ane uthair part taikin fra thame be the men of weir, now instantlie being at the said assege for thair laubouris tane upoun thame in defensis of hir fra oure auld innymeis of Ingland; and thairfor, and for diverse utheris considerationis moving the saidis Lordis it is statute and ordanit, that the wynis being in the said schip be sauld be the awneris of the samin to my Lord Governour and to the toun of Sanctandrois to the effect abonewrittin, for xxviij l̃b. ilk toun and that the saidis inhabitantis of the said toun sell the samin indifferently to our Soverane Ladyis liegis . . . . . of the saidis wynis to concure with the Comptrollar, Provost and Baillies of the toun to se that the samin be sauld to the fremen and inhabitantis of the said toun and to nane uthairis; providing alwayis that the Quenis grace and my Lord Governour be first servit, with certificatioun to thaim and tha do in the contrare, that the saidis wynis salbe taikin up be the Quenis Grace Comptrollar and dispone upoun as eschete, and ordanis the awneris of the saidis wynis that tha sell nocht the samin to na extraineris under the pane forsaid.

The quhilk day, comperit Dame Marioun Seytoun, Countes of Eglintoun, on that ane pairt, and Schir Neill Mongomery of Langschaw, knycht, on that uthair pairt, and consentit to the prorogatioun of the day contenit in the act maid tuiching the delivering of the place and house of Polnone, gudis, jowellis, and barnys being thairintill, efter the forme and tennour of the act maid thairupoun of befor off the dait the xxj day of November instant the yeir of God abone writtin unto the ix day of December nixt to cum, to the effect that the said Schir Neill may pass hame and fulfill the samin the said day conforme to the said act.

Arthour Montgomery of Stane, George Montgomery of Skelmourly, James Craufurd of Baidlane, for thame selff and the remanent of the fre tennentis, protestit that quhat evir war done betwix the Countes of Eglintoun on that ane pairt and Schir Neill Montgomery of Langschaw, knycht, on that uthair pairt, tuiching ane contract maid amangis thaim . . . . airis of umquhile Hew, eirle of Eglintoun, and thairupoun askit instrumentis.

The said Dame Marioun Seytoun, Countes of Eglintoun, in presens of the Lordis of Counsale, requirit Schir Neill Montgomery of Langschaw, to giff and deliver to hir his band of manrent conforme to ane contract maid

betwix thame thairupoun of the dait, at Polnone, the penult day of September last bypast, and thairupoun askit instromentis hora quarta postmeridiem.

Thir ar the articlis to be desyrit at the King of France for the help and supple to be gevin to this realme aganis the King of Ingland.

In the first, it salbe desyrit at the said King of France that he caus the article of conprehensioun of our Soverane Lady, hir realme, and subjectis contenit in the last trety of pece, taking betuix him and the King of Ingland, to be keipit efter the forme and tennour of the samyn, swa that Scotland may joise and bruk ane perfite pece with Ingland siclik as the realme of France hes.

Item, gif the King of Ingland will nocht accept acceptatioun of the said article of conprehensioun and gif his confirmatioun thairupoun, that the said maist cristine King declair him innymy to the said King of Ingland, and mak weir upoun him with all his powar, conforme to the ligis betwix baith the realmes.

Item, it salbe desyrit that the maist cristine King of France will mak him sa strenthe be sey, that he may be maister and brouk the samyn, quhilk is the nerrest way and best to keip baith the realmes of France and Scotland fra the invasioun of the said King of Ingland and his powar.

Item, for support of the Quenis Grace and my Lord Governour aganis the said King of Ingland and for resisting of him, thair salbe askit and desyrit at the said maist cristine King tua hundreith thousand crownis of the sone to furnes men of weir for defense of his realme.

Item, thair salbe desyrit at the said maist cristine King, ten thousand pykkis, with small artailyery sik as double falcoun, single falcoun, togidder with bullettis for cannonis, bastardis, myanis double falcoun, and single falcoun, with tuenty lastis of polder.

Item, siclik it is remembrit upoun my Lord Governouris pensioun and callaris of the ordour as wes desyrit of befor.

Item, quhair that the Kingis servand hes offerit in the Kingis name that he sall send men of experience for reforsing of strenthis and biggein of the samyn, that it will pleis his Grace to send xxiiij cunning men expert in the weris for ordouring of battellis, and that can reforse the strenthis and invaid the samin to remane heir to that effect upoun his expense during the time of the weir.

Item, that this support be here with all possable deligence, for my Lord Governour and Counsale ar surelie advertist, that the King of Inglandis army intendis to cum in this realme in the moneth of Februar nixt to cum,

and thairfor it salbe desyrit at the said maist cristine King be the saidis ambassatouris, that the said provision and support may be in Scotland or the xv day of Februar nixt to cum, or ellis, appeirandlie, will mak na steid considering the said King of Inglandis army intendis to be heir or than; and gif the King of France makis ony excuse, delay, advertise us thairof with deligence and all haist, sua that we may provide sum way for our selfis, and ye to remane upoun the finale ansuer and to haif the support alssone as may be possable.

. . . Martij anno, etc. v^{c} quadragesimo sexto, *licet hic scribitur.*

The quhilk day, comperit Maister Archibald Betoun, and exponit and declarit how he was takin be George Duglas Postulat of Aberbrothok, and had to Tamptalloun, and it being inquirit at him be the said Postulate, gif ony money, gold or silver, or ony uthair maner of gudis, or geir, wes takin fra him be the said Postulat or ony of his in his name, or be ony maner of persoun or persounis, the tyme of his takin or the tyme of his being in Tamptallon or sensyne, The said Maister Archibald, of his awin fre will and motive, uncompellit or coactit, declarit that thair wes nowthair gold nor siluer, cunzeit or uncunzeit, or ony uthair maner of gudis or geir takin fra him the tyme abone writtin, nor sensyne; and mair attour declarit, that thair wes na maner of persoun or personis that inquirit at him quhethair he had ony money or nocht upoun him. Super quibus declarationibus, dictus Georgius Douglas postulatus ut supra, a me notario publico subscripto sibi fieri petiit, publicum seu publica, instrumentum seu instrumenta, unum seu plura. Acta erant hec in hospitio domini Gubernatoris, infra oppidum Edinburgi, horam circiter undecimam ante meridiem, Presentibus ibidem providis viris magistro de Ruthven, Jacobo magistro de Somervell, et Jacobo Lyndesay clavigero, testibus ad premissa vocatis.

Apud Sanctum Andream . . . . . anno Domini, etc. v^{c} quadragesimo sexto.

Presentibus, Regina, et Gubernatore. Sederunt. Comes Huntlie Cancellarius. Episcopi—Dunkeldensis, Moraviensis, Candidecase, Brechinensis. Comites—Angus, Errole, Merschell, Glencarne. Abbates—Dunfermling, Cowper, Lundoris, Culross, Pluscardine. Postulatus Aberdonensis. Domini—Flemyng, Ruthven, Gray. Lindesay de Byris, Inuermeith. Dominus Georgeus Douglas. Clericus Registri.

The quhilk day, in presens of my Lord Governour, comperit the Lordis of our Soverane Ladyis College of Justice and Sessioun, with Maister Henry Lauder our Soverane Ladyis Advocate, thair forspeikar, and thare schew and declarit how thai ar and hes bene free of payment of all taxtis and contributionis sen the first begynnyng of the said college, as in the actis maid thairupoun is at mair lenth contenit, quhilkis ar and hes bene oft and diverse tymes sensyne ratiffyt in parliament, baith in our Soverane Lordis tyme of gude

mynd, quham God assolye, and sen his decese, and siclik be the papis auctorite, as in the bullis of confirmatioun of institution of the said college and executorialis thairupoun at mair lenth is contenit: Nocht the les, the Prelatis of this realme, in the contribution laitly grantit be thame for support of my Lord Governouris expensis and assegeing of the Castell of Sanctandrois, and persewing of the tratouris being thairintill, for the cruell slauchter of umquhile David, Cardinale, Archbischop of Sanctandrois, Chancellar of Scotland, hes taxt the benefices of Master Johnne Sinclar Dene of Restalrig, Master Johne Weddell parson of Flisk, Maister William Lamb parson of Conveth, Master George Hay parson of Renfrew, and Master James Scott provost of Corstorphene, ane of the scribis of the said College for thair pairt efter the rait of the said contributioun, wranguislie for the causis forsaidis, and for nonpayment thairof hes raisit our Soverane Ladyis lettres to putt thaim to the horne, and usys the said process upon thame howbeit tha aucht to pay nane as said is; desyrand herefor my Lord Governour, and remanent Lordis of Counsell baith spirituale and temporal being with him, to giff thair declaratioun in the premissis quhether the Senatouris of the said College, baith spirituale and temporal, suld pay ony taxt or contributioun raisit or to be raisit within this realm, considering the exemptioun forsaidis baith be Actis of parliament and our haly fader the papis bullis; and giff the spirituale men of the said College be wranguislie taxt for thair benefices or nocht; and giff sa be, that tha wold putt remeid thairto. My Lord Governour and Lordis forsadis, being wele and ryplie avisit herewith, hes declarit and declaris that all the Senatouris of the said College, baith spirituale and temporale, and memberis of the said College of Justice, ar exemyt fra payment of ony taxationis, and thairfor the said spirituale men ar wranguislie taxt for payment of thair rait of the said contributioun as said is; and hes dischargit and dischargis thame of ony payment thairof, and als dischargis all lettres of hornyng raisit or to be raisit upon thame for payment of the said contributioun, and suspendis the effect and executioun thairof, and giff ony of thame be putt to the horne to relax thame thairfra simpliciter for the causis forsadis.

My Lord Governour protestit, that nochwithstanding the decret and declaratioun forsaidis, that sen the said taxt and contribution wes grantit to him be the Prelatis in the name of the hale Clergy, for the support of his expensis in the assegeing of the Castel of Sanctandrois for the causis contenit in the said act, that he mycht have the hale payment thairof upon the Prelatis conforme to their promitt, and quhat wantis of the hale soum, be reson of the saidis exemptioun, to be supleit be thaim for payment of the hale soum.

The samyn day, anentis the article proponit in the name of the Lordis Senatouris of the College of Justice, tuiching the ingetting of the contributioun aucht be the kirkmen to thame, and remeid thairfor; my Lord Governour and Lordis forsadis ordanis the sadis Senatouris to putt sik actis

and lettres as tha raisit of befor to dew execution in all poyntis, and to poynd and distrenye thairfor and uthairwayis, giff tha can better devyse, and als the papis bullis and executorialis raisit thairupon as tha think best to be done.

Apud Sanctum Andream, xiij Decembris, anno, etc. v^{c}xlvj^{to}.

Presente, Domino Gubernatore. Sederunt. Comes de Huntlie Cancellarius. Episcopi—Moraviensis, Candidecase, Brechinensis. Comites—Angus, Errole, Merschell, Glencarne. Abbates—Cowper, Dunfermling, Postulatus Abirdonensis,[1] Culross, Lundoris. Domini—Flemyng, Ruthvin, Gray, Lindesay de Byris, Invermeith. Dominus Georgeus Douglas. Clericus Registri.

The quhilk day, forsamakill as our Soverane Lady, with avise consent, and autorite of hir Tutour and Governour, hes nominet George Dowglas, sone to Archibald Eirle of Angus, in and to the abbay and place of Abirbrothok, lik as his nominatioun in the self at mair lenth proportis; thairfor my Lord Governour, with avise of the Quenis grace and Lordis of Secret Counsall, hes declairit and declairis that he will fortyfie, manteine, and defend the gift grantit and gevin to the said George Dowgles of the said benifice, in all pointis efter the forme and tennour of the said gift maid to him thairupoun.

The samin day, it is thocht expedient be the Quenis grace and Lordis of Counsall, that my Lord Governour sall pas towart the Bordouris with sik cumpany as he sall pleis to tak to him, and to vesy the samin and put ordour thairto as he sall think expedient at the xx^{tj} day of zule; nocht the les the quarteris to cum and remane at the assege of the Castell of Sanctandrois, ilk quarter in his tour, efter the forme and tennour of the letteres and proclamatioun direct thairupoun.

Apud Sanctum Andream, xix Decembris, anno, etc. v^{c}xlvj^{to}.

Presentibus, Regina, et Gubernatore. Sederunt. Comes de Huntly Cancellarius. Episcopi—Dunkeldensis, Moraviensis, Candidecase, Brechinensis. Comites—Angus, Bothuel, Merschell, Glencarn. Abbates—Cowper, Dumfermling, Lundoris, Postulatus Abirdonensis,[1] Pluscardyn, Dryburgh. Domini — Flemyng, Ruthven, Gray, Lindesay de Byris, Invermeith, Elphinston. Dominus Georgeus Douglas, Johannes Campbell de Lundy, Willelmus Hammiltoun de Sanquhare, Milites. Magister de Forbes, Vicecomes de Are, Robertus Boyde de Kilmernok, Walterus Ogilvy de Drumlugus, Miles, Johannes Drummond de Innerpeffer, Dominus de Kers.

The quhilk day, anentis the mater proponit be my Lord Chancellar in presens of the Quenis grace, and the haill Counsale, schawand in effect, that

[1] This appears to be the same William Gordon mentioned above, p. 33, by accident entered among the Abbots.

my Lord Governour and Baronis of the realme hes lyne this lang tyme at the assege of the castell of Sanctandrois, quhilkis hes bene varay costlie to him and the haill realme, and is unhable to be gottin bot be hungir quhilk will nocht be haistelie done; and the King of Ingland preparis all his powar to cum upoun this realme haistellie, and as it may beleifit ane pairt thairof to cum in Fiff and to the said house of Sanctandrois, and to get it fra the personis that haldis the samyn, considerand tha ar fforfaltit and our Soverane Ladyis rebellis, and destitute of the . . . gudis, and hes bot thair lyffis to saiff, quhilk thai can nocht saiffly do bot be halding of the said Castell, and dowtes nocht bot to be vittalit be Ingland; nocht the les the saidis personis desyris to be gude Scottismen, and leif at the faith and pece of our Soverane Lady, sertane puntis and articlis being grantit to thame be my Lord Governour and Counsale; and for the fulfilling of tha thingis, giff tha be grantit, desyris for thair securite, that all thingis salbe fulfillit to thaim, to remane with the Castell of Sanctandrois, and with my Lord Governouris sone, and sall defend the samyn aganis Ingland. And for securite of thair pairte, sall giff plegis sik as thai may geiff, with souerteis under grete soumes; and sen this concernis the commone weill of the realme hielie, that tha wald avise, counsale, and deliver quhat salbe done in the premissis, quhat is best appeirand to be done for the commone weill of the realme: The matter being refferit to the Lordis of Counsale, tha haiff deliverit and concludit, that for mony caussis and in speciale to eschew that the Inglismen get na interes in the said Castell, and the samin and my Lord Governouris sone nocht to be deliverit in the Inglismennis handis; and als considering that the said Castell is nocht wynnable bot be famyne, that it is best for the commone weile that my Lord Governour appunct with the personis being in the said Castell in the best way that can be divisit, and thai to remane with the samin quhill albe fulfillit for my Lord Governouris parte, and to gif plegis and souerteis for the keiping of thair parte as in the appunctiment to be maid thairupoun salbe at mair lenth contenit.

My Lord Governor schew and declarit, how at he come to the assege of the Castell of Sanctandrois for persute of the personis being thairintill, and hes lyne thairat be the space of five monethis or thairby be the avise of the Quenis Grace and thre Estatis of Parliament, and is yit reddy to remane thairat unto the tyme it be recoverit be fameyn or uthairways, and to ware himself, his freindis, and all that he hes thairupoun; tharfor protestis that quhatevir be counsellit in the contrare, be na hurt to him, his honour and fame, and als protestit that in caise tha in the Castell fulfillit nocht thair parte in all puntis, that the declaratioun of Parliament tuiching the assegeing of the said Castell suld stand in effect as of befor.

Apud Edinburgh, decimo septimo Martij, anno, etc. v^{c} quadragesimo septimo.

Presente, Domino Gubernatore. Sederunt. Comes de Huntly Cancellarius. Episcopi—Dunkeldensis, Moraviensis, Candidecase,

Brechinensis, Dunblanensis, Orchadensis. Comites—Angus, Ergile, Errole, Cassillis, Montrose. Abbates — Cowper, Dunfermling, Corsagwel, Culross. Domini—Flemyng, Ruthven, Gray, Borthwik, Somervell, Lyndesay de Byris, Hay de Yestir, Drummond. Dominus Georgeus Douglas. Dominus Willelmus Hammiltoun de Sanquher, dominus Johannes Campbell de Lundy, Milites.

The quhilk day, forsamekle as my Lord Governour and Lordis of Counsel, havand regaird to the grete murmouris that is ryssyn and daylie rysis in this realme amangis the liegis thairof, and that throw the grete slauchteris, murthouris, reiffis, and commoun oppressionis, with convocationis of our Soverane Ladyis liegis, committit and done be diverse personis, and na punischement maid for the samyn, quharethrow sik enormiteis dailie and continualie encress mare and mare, and for stanching thairoff my Lord Governour at the speciale desire and request of the hale Lordis, off his awine fre will and consent, hes promittit and promittis, that his grace sall newther giff respect nor remissioun, supersedere nor relaxatioun, to na maner of persoun nor personis that sal happin to committ slauchter or mutilatioun, reiff and commoun oppressioun, with convocatioun of our Soverane Ladyis liegis, upoun forthocht fellonny, and be way of hamesukkyn, for the space of thre yeris nixt efter the day of the dait herof; and tharfor all the hale Lordis bindis and oblissis thame to assist, concurr, and fortify my said Lord Governour with thare counsell, personis, and gudis, and sall manteyine and sett furth the autorite in the punischement of the personis committeris of the crymes abonewritten; and giff ony sik respect, remissioun, supersedere or relaxatioun, or ony uthair thingis that may stop the executioun of justice happynnis to be gevin be my Lord Governour to ony persoun or personis for the crymes abone writtin, be quhatsumeuir menys and ways, his Grace with avise of the Lordis of Counsel now as than and than as now, declaris and decernis the samyn of nane avale, force, nor effect in tyme to cum, and ordanis the Justice, Thesaurar, Justice Clerk, and thair deputis, that thai on na wyse admitt ony sik respect, supersedere, or relaxatioun, bot proceid and do justice according to the lawis of the realme, and giff thai admitt the samyn during the said space, thai salbe callit and accusit thairfor, and punist as accordis; and attour, giff it happynnis ony maner of persoun or persounis, committeris of the crymes abonewrittin, to be fugitiue fra the lawis, and pas to the horne, and to be ressett be quhatsumevir personis within this realme, the persoun or personis ressettaris and manteinaris of sik rebellis and malefactouris, salbe callit at the instance of the parti dampnagit and hurt, or at the instance of our Soverane Ladyis Advocat, to particular justice courtis or diettis, and accusit and punist thairfor, as the principale committeris of the crymes abonewrittin, conforme to the actis and statutis maid in umquhile our Soverane Lordis tyme herupoun of befor, and my Lord Governour hes promittit and promittis, that he sall nowther giff respect, remissioun, supersedere, or relaxatioun, to the personis resettaris and manteinaris of sik rebellis, oppressouris, and male-

factouris, bot sall use his Graces autorite aganis thame, lik as aganis the principale committeris of the crymes abonewrittin, during the said space of thre yeris, and that lettres of publicatioun be direct herupon our all partis of this realm in dew forme as efferis.

Item, forsamekle as thare is grete and hie attemptatis done and committit aganis our Soverane Lady, my Lord Governour, and the auctorite, in the handilling, stryking, mannascing, bosting, persewing, and disobeying of hir hienes officeris, sik as heraldis, masseris, pursevantis, and messangeris and uthairis our Soverane Ladyis officiaris, and taking of thair lettres fra thame in the using and executioun of thare offices, quharthrow thair is engenderit grete inobedience; and for remeid thairoff it is devisit, statute, and ordanit, that quhatsumeuir person or personis that handillis, strykis, mannasis, bostis, or persewis ony of our Soverane Ladyis officiaris, or takis thair lettres fra thame in the using and executioun of thar offices, salbe callit upon thare lyfis, landis, and gudis, and accusit thairfor at particular diettis or justice courtis, and punist conforme to the lawis of the realme, according to the actis and statutis maid thairupon of befor; and for the mare securite and keping the said act and punischement of the brekaris thairof, my Lord Governour hes promittit and promittis that he sall newthair giff respect, remissioun, supersedere, or relaxatioun to the persoun or personis committeris of the crymes abonewrittin, during the space of thre yeris next efter the day of the dayt herof, and that lettres of publicatioun be direct herupon our all partis of this realm in dew forme as efferis.[1]

Dunkeldensis.		James G.
Moraviensis.		Ard. Erl Angus.
Candidecase.		A. Erl Argyll.
		George Erll of Errell.
Brechinensis.	W. Lord Ruthuen.	G. Erll of Cassillis.
W. of Dumblane.		Erll of Montrose.
	David Lord Drummond.	M. L. Chalmerlane.
D. de Cupro.	Johne Erlle of Menteth.	
	Patryk Lord Gray.	Jhon L. Borthuik.
W. abbot off Corsragwell.	Wm. Lord Hay off Yistir.	Hew Lord Somervill.
		George Douglas.
William Hammiltoun.		Johannes Campbell.

Apud Edinburgh, xviij Martij, anno, etc. v^{c} quadragesimo sexto.

Presente, Domino Gubernatore. Sederunt. Comes de Huntlie Cancellarius. Episcopi—Dunkeldensis, Moraviensis, Candidecase, Brechinensis, Dunblanensis, Orchadensis. Comites—Angus, Ergile, Errol, Merschell, Cassillis, Montrose. Abbates—Cowper, Dunfermling, Caresragwell. Domini—Ruthven, Flemyng, Gray,

[1] The signatures following are holograph.

Borthwik, Somervell, Lindesay de Byris, Hay de Yestir, Drummond. Domini—Georgeus Douglas, Willelmus Hammilton, Johannes Campbell de Lundy, Milites.

The quhilk day, my Lord Governour and Lordis of Counsel, for stanching of theft within this realme and to put remeid thairto, ordanis the act of parliament maid thairupoun in umquhile our soverane lordis King James the Fiftis tyme, of gude mynd, quham God assolze, to be proclamyt of new, and to be put to execution in all punctis efter the forme and tennour thairof, with ane additioun, that the said act sall stryke upoun quhatsumeuir persoun or personis that resettis ony thevis, or takkis assurance with thevis, or that takkis thevis and lattis thame pas, and siclik upon all thaim that beis warnit be bels, outhornys, frays, and crys or uthairwise, efter the use of the cuntre, and cumis nocht to the principal hedisman thairof, and salbe als wele extendit upon thame, as upon the principale thevis, and incur the pans contenit in the saidis actis and salbe callit thairfor.

Apud Edinburgh, xix Martij, anno, etc. v^{c}xlvj^{to}.

My Lord Governour and Lordis Temperale ordanis and desyris the kirkmen to gif to his Grace the names of the heretikis that ar relapsis or haldis opynionnis aganis the Sacrament of the Alter, or that techis heresys, and his Grace and the Lordis Temporall sal tak thame and caus the lawis of the realme be execut upon thame, ay as he is requirit thairto conforme to the laws of heretik, and ordanis this supplicatioun and deliverance past thairupoun to be put in the bukis of Counsale.

The quhilk day, my Lord Governour and Lordis of Counsale, for stanching of theft within this realme and to putt remeid theirto ordanis the Act of Parliament, maid thairupon in umquhile our Soverane Lordis King James the Fiftis tyme, of gud mynd, quham God assolze, to be proclamit of new, and to be putt to executioun in all punctis, off the quhilk act the tennour followis. [The master of a servant accused of theft either to bring him before the judge or deliver him to the complainer, under pain of being accused as art and part; a complainer compounding with a thief and allowing him to escape to be accused as the thief; if the accused be found innocent, the complainer to pay £10 as damages for slander; persons who after preferring an accusation of theft compound with the thief, and take theftbute, to be punished as the principal.[1]] With this additioun that the said act sall stryke upoun quhatsumever persoun or personnis that resettis ony thevis or revaris, or takis assurance with thevis or

[1] This Act, as narrated in the Register, is printed in the "Acts of the Parliaments of Scotland," and is headed "For stanching of thyft, Stouth, and Reiff." The Act was three times passed in the reign of James V.,—in 1515 (ii. 282), in 1535 (ii. 350), and in 1540 (ii. 372). The object of the Act is to make feudal superiors, chiefs, and other persons exercising power and authority over marauders, responsible for offences committed by subordinates with their knowledge.

revaris, or that takis thevis or revaris and lattis thame pas; and siclik upoun all thaime that beis warnit be belys, outhornys, frays, cryis, or uthairwise, efter the use of the cuntre, and cummys nocht to the principale heidis man thairof, and salbe alswele extendit upoun thaime as apoun the principale thevis or revaris, and incurr the panis contenit in the said act, and salbe callit, accusit, and punist thairfor according to the lawis of the realme.

The quhilk day, forsamekle as our Soverane Ladyis liegis ar out of use of armour and wapynnis, be ressoun that na walpynschawingis ar maid and haldin out throucht this realme, quhairfor it is thocht necessar that walpynschawingis be maid, and thairfor it is divisit, statute, and ordanit, that letteres be direct to all Scheriffis, Stewartis, Baillies, and thair Deputis, alswele Regalite as Rialte, Provostis, Aldermen, and Baillies of Burrowis, chargeing thame and ilk ane of thame incontinent efter the sycht heirof, direct thair writtingis and mak warnyngis to all and sindry our Soverane Ladyis liegis dwelland within the boundis of thair offices and jurisdictioun, ilk ane in his awine degre upoun the premunitioun of xx^tj dayis to compeir befoir thaim upoun the morn efter Law Sonday, viz. the xviij day of Aprile nixt to cum, weil bodin in feir of weir in thair maist substantious maner, with wapynnis and harnes, jak of plait, halkirk, bregatynis, splentis, sellet, or steilbonet, pysand or gorget, speris, pykkis, leithaxis, halbertis, handbowis and arrowis, corsbowis, culveringis, twahandit swerdis, jedburcht stavis; and thair to gif thair musteris the said day befoir thame, efter the forme and tennour of the actis maid thairupoun of befoir, in umquhile our soverane lordis tyme King James the Fift, quham God assolze, and under the panis contenit in the samin.[1]

The quhilk day, forsamekle as my Lord Governour and Lordis of Counsale ar advertist, that our auld inymyis of Ingland intendis with thair grete armyis baith be sey and land to cum and invaid this realme, byrn, hery, distroy the liegis thairof and to do na less, nor tha may to subdew the samin without thai be starklie resistit, Tharefor ordanis letteres to be direct to all Schereffis, Stewartis, Ballies, and thair Deputis, alswele Regalite as Ryalte, Provostis, Aldermen, and Ballies of Burrowis, and to uthairis officeris of the Quenis, schereffis in that pairt, to pas to the mercat croces of all schiris and uthairis places neidfull, and thare be oppin proclamatioun, command, and charge all and sindry our Soverane Ladyis liegis alswele in regalite as ryalte, baith to burgh and to land, that tha and ilkane of thame be in ane redynes wele bodin in fere of were in thair maist substantious maner, upoun the premunitioun of xl dayis warnyng, with ane monethis vittalis and

[1] The Acts referred to: Wapenschaws to be held twice a year, on 20th October and 15th June,—Acts of Parliament, 1535, c. 19, ii. 435; Wapinschaws to be held twice a year, in June and October, and thrice the first year, because they had been long out of use; twenty days' warning to be given; regulations as to the arms to be worn according to property; a return to be made to the King of the names of persons present and of their arms; sheriffs, bailies, etc., to choose a captain for each parish, who shall instruct the armed men in May, June, and July yearly, 1540, c. 21, 23-27, ii. 362-363.

furnessing efter thair cuming to the place that salbe assignit to thaim to assemble to ilk persoun, under the pane of tinsell of lyff, landis, and gudis; and giff ony schortar certificatioun cummis of the incuming of our saidis auld inymyis to the invasioun of this realme and liegis thairof, sua that tha may be not warnit upon xl days warnyng, That our Soverane Ladyis liegis be in ane redynes and cum forwart for resisting of thame at sik day and place as salbe assignit to thaim, with sik provisioun and furnessing as tha salbe advertist of to bring with thame, under the pane forsaid, with certificatioun to quhatsumevir person or persounis that cummys nocht and kepis the said day assignit to thame, and cummys efter the said day, that tha and ilk ane of thame salbe callit and accusit for thair contemptioun, and to have incurrit the panis contenit in the saidis letteres and punist thairfor according to the lawis of the realme.

The samin day, my Lord Governour and Lordis of Secreit Counsale ordanis this suplicatioun and deliverance gevin be his Grace and Lordis of Counsale forsaid thairupoun, to be insart in the bukis of Prive Counsale; off the quhilk supplicatioun and deliverance the tennour followis. My Lord Governour and Lordis of the Greit Counsale, unto your Grace and Lordschippis humilie menis and schowis, We, your oratouris, the Bischoppis, Prelattis, and kirkmen now present in this toun, for ourselfis and in name of the remanent of the kirkmen of this realme; how that it is nocht unknawin to your Grace and Lordschippis, that sindrie partes of this realme, quhilk hes bene evir Catholic sen the begynnyng of the faith to thir dais, now infectit with that pestilencious hereseis of Luther, his sect and followaris, and sa perseveris unpuneist, quhill diverse of thame ar becumin Sacramentis and specialie aganis the blissit Sacrament of the Altar, uthairis of thame abjurit and relapsis baneist of auld, now cummis pertly without ony dredour, nocht alanerlie in the far partis of the realme bot als to the court and presence of your lordschippis, and sum tyme prechis oppinlie and instructis uthairis in the saidis dampnable hereseis, quhilkis, and the samin be nocht remedit, be your grace and lordschippis, be your help and assistence to the jurisdictioun spirituale, it will spred, increse, and ryse dalie mair and mair, and ay the langer the mair difficult to remeid, Quhairfor we humilie beseik your Grace and noble Lordschippis for your princelie honour and nobeliteis, to gif your haistlie help and remeid in thir behalvis, to the plesour of God, manteinance of the Cristin Faith, and your awin honour, with your answer.

Apud Edinburgh, xix° Martii, anno, etc. xlvj°. My Lord Governour and Lordis Temporale ordanis and desiris the kirkmen to gif to his Grace the names of the heretikis that ar relapsis or haldis opiniounis aganis the Sacramentis of the Alter, or that techis heresyis, and his Grace and the Lordis Temporale sall tak thame and cause the lawis of the realme to be execute [against] thame, ay as he is requirit thairto, conforme to the lawis of

hallykirk, and ordanis this suplicatioun and deliverance past thairupoun to be put in the bukis of Counsale.[1]

The quhilk day, it is divisit and ordanit be my Lord Governour and Lordis of Counsale that William Lord Ruthven on that ane part, sall send for his sone the Maister of Ruthven, the Lard of Cragy,[2] the Lard of Muncreiff,[3] the Lard of Strathurde, the Lard of Bathok,[4] and Thomas Ross brother to the Lard of Cragy, and caus thame to be here upoun Mononday nixt to cum, and in likwise, that Patrik Lord Gray on that uthair parte, sall send for Johne Charteris of Cuthilgurdy, Thomas Charteris of Kynfawnis, the Lard of Powry,[5] the Lard of Strathmertine, the Lard of Panmure,[6] and the Constable of Dunde,[7] and cause thame to be here the said day, for putting of ordour of sik besynes and debaitis as presentlie occurris amangis thame; and quhilk of thir personis cummys nocht, ilk ane of the saidis Lordis sall discharge thame to the persoun that cummys nocht, and sall tak na ferthair part with him in tyme to cum. And my Lord Governour and Lordis of Counsale, on that uthair parte, sall use our Soverane Ladyis autorite aganis the persoun that cummys nocht to the effect forsaid, and baith the saidis lordis, ilk ane for his awin parte, sall pas and assist to his Grace in that behalff.

The quhilk day, it is divisit, statute, and ordanit, for stanching of thift and reiff and oppressioun of thevis and revaris, and putting of ordour upoun the Bordouris, that my Lord Governour, wele and substantiouslie accumpanyit, sal pas in proper persoun towart the Bordouris. Thairfoir ordanis letteres to be direct to all Schereffis, Stewartis, Baillies, alswele Regalite as Rialte, and thair Deputis, Provestis, Aldermen, and Baillies of Burrowis, and to uthairis officeris of the Quenis, Schereffis in that pairt, chargeing thame to pas to the mercat croces of all schiris and uthairis places neidfull, and thair, be oppin proclamatioun, command and charge all Eirlis, Lordis, Barronis, landit men, gentill men, and all uthair fensable men betwix sexti and sextene, baith to burgh and to land, alswele dwelland upoun spretuiale mennis landis as temporall mennis landis, That tha, and ilk ane of thame, wele bodin in feir of weir, in thair maist substantious maner cum and meit my said Lord Governour at the toun of Peiblis, at sik dayis as his Grace sall appunct to thaim, with xv dayis furnessing eftir thair cuming to the said toun, and frahyne to pas forwart with his Grace quhair he sall think expedient, to the effect abone writtin, under the pane of tynsale off lif, landis, and gudis, nochtwithstanding ony letters in the contrare.

[1] Statutes:—1525, "Anent the dampnable opunzeouns of heresy"—Act. Parl. Scot. ii. 295; 1535, "For eschewing of heresy within this realme, and the panis therof;" 1540, "Of fugitives suspect and summoned for heresy;" "Reward of them that revelis conventionis and accuses heretikes," with seven other Acts—*ib.* 370-71.

[2] John Ross.

[3] Moncrieff.

[4] Thomas Blair.

[5] Thomas Fotheringham.

[6] Maule.

[7] Scrymegour of Dudhope.

The quhilk day, forsamekle as thair is grete and hie attemptatis done and committit aganis God and halikirk, and specialie in the ryving of the Ordineris lettres, dynging, handilling, stryking, bosting, mannascing, and persewing of the executouris thairof, causing sum of thame to ete the samin and stopping of thame to mak executioun thairof, and takking of the samin fra thaim in the gret lychtlying and contemptioun of the autorite of halikirk. Tharfor it is divisit, statute, and ordanit, that quhatsumevir persoun or personis that ryvis the Ordineris lettres, handillis, strykis, mannasys, or persewis, the executouris of the saidis lettres, or beraris thairof, or that caussis thame to eit the samin, or that stoppis thame to mak execution thairof, or that takkis the saidis lettres fra thaim, that tha sal be callit and accusit to particular dietis and justice courtis upon thair lyffis and gudis, siclik as upon thaim that ryvis our Soverane Ladyis lettres or bostis hir hienes officiaris; and ordanis the Justice Clerk to tak dittay herupon. And for the mare securite and keping of the said act and punischement of the brekaris thairof, my Lord Governour hes promittit and promittis that he sall no wyse giff respect, remissioun, supersedere, or relaxatioun, to the persoun or personis, committeris of the crimes abonewrittin, during the space of thre yeris nixt efter the dait heirof, and that lettres of publicatioun be direct herupon to all partis of this realme in forme as efferis.

James G.
Huntly Cancellarius.
Ard. erl of Angus.
A. erl of Ergyle.
George erll of Errol.
Cassillis.
Prive Seill.
George Dowglas.

Jhon l. Borthuik.
Jhon lord Glamys.
Patrik lord Gray.

[Readjustment of the arrangement set forth at length of date 5th June 1546,[1] viz.: "That certane lordis remane with my Lord Governour and be of secret counsel with him in all materis." The rotation to begin on 20th March.

For the first month: The Bishop of Aberdeen, the bishop of Orkney, the Earl of Errol, and Sir George Douglas.

For the second month: The Bishop of Brechin, the Earl of Angus, the lord Somervell, the Abbot of Dunfermline.

For the third month: The Bishop of Dunblane, the Earl of Argyle, the Earl of Glencarne, and Donald Abbot of Coupar.

For the fourth month: The Bishop of Moray, the Earl of Bothwell, the Earl of Cassillis, and the lord Flemyng.

For the fifth month: The Earl of Marischal, the Earl of Montrose, the Bishop of Galloway, and Sir William Hammilton of Sanquhar, knight.

[1] See above, p. 23, *et seq.*

The paragraph following is an addition to the previous arrangement.]

Item, it is divisit and ordanit that quhen thir five monethis ar furth runin, and the Lordis hes biddin andremainit thair monethis ilkane in his awine tour, efter the maner and ordour forsaid, that the foure lordis that begynnis the said xx^tj day of Marche instant viz., the first moneth, sall entir agane the said xx^tj day of August, and remane during the space of ane moneth, and sic lik all the lordis abonewrittin sall cum and remane monethlie, ilk ane of thame in thair awine rowme efter the forme and tennour of the act and ordinances abonewrittin maid herupon, and under the panis contenit in the samyn.

The quhilk day, my Lord Governour and Lordis of Counsall, havand respect to the gude, trew, and thankfull service done to his Grace in the keiping of the Castell of Dumbartan fra oure auld innymeis of Ingland, by George Streviling of Glorat, capitane of the said castell for the tyme, and that umquhile Mathow, sumtyme Eirle of Levennox, happinit to cum within the samin, and the tyme of his being thairintill he beand than for the tyme principall maister of the said Castell, and in likwise maister of the said George, thair wes diverse and sindrie attemptatis, reiffis, spulyeis, slauchteris, depredationis and uthairis wrangis, committit and done be the personis being in the said Castell for the tyme, and siclik sen the said Mathowis departing in Ingland, to the quhilkis he mycht nocht resist, and als havand respect to the said George, how that he for the commone weile of this realme and putting of ordour in tha partis, and pecifyng of the cuntreis adjacent thairto, randerit the said Castell to my said Lord Governour, at the ourgeving of the said Castell it wes convenit that the revis and spulyeis abonewrittin suld be dischargeit unto the said George, be ressone that thair wes uthairis that wes principale committeris of the saidis reiffis, spulzeis, and heirschippis underwrittin, Tharfor my said Lord Governour with avise of the Lordis of Counsale, hes dischargit and dischargis the Justice, Justice Clerk, and thair Deputis, Schereffis, Stewartis, Baillies and thair Deputis, Provestis, Aldermen and Baillies of Burrowis, and all uthairis our Soverane Ladyis officiaris, of all arresting, atteching, unlawing, calling or proceding aganis the said George, his brether and servandis criminalie, and in likwise the Lordis of the Sessioun civilie and of thair offices in that parte, for ony reiffis, spulyeis, depredatiounis or uthairis oppressionis committit and done be thame during the tyme forsaid, and in speciale of thair reiffis and spulyeis underwrittin; That is to say, the spulye committit upoun umquhile James Haldene of Glennegas and his tennentis, Schir Thomas Jaksone, Donald Campble, William Donchill, Gilbert Kennedy of Blanquhannane, Maister William Hammiltoun, David Watsoun, and Johne Simple of Fulvoid, thair kyn, freindis, and servandis; and giff ony processis, actis, decretis, sentences, be gevin aganis the said George, his brother, and servandis, or to be gevin, dischargis all and sindrie our Soverane Ladyis officiaris abonewrittin of all poynding, distrenyeing, handilling, intrometting or uptaking of thair gudis, apprising of his or thair landis

thairfor, and of thair offices in that parte, for the caussis abonewrittin, Providing alwayis that it salbe lefull to the personis abonewrittin and all uthairis havand actiounis aganis the said George, his brother, kyn, freindis, and servandis, to call quhatsumevir uthair persone or personis thairfor as tha sall think expedient, for the caussis forsaid, eftir the forme and tennour of the appunctament maid thairupoun, and ordanis all personis havand ony actionis aganis the said George, to cum befor my Lord Governour and renunce and discharg thair actionis, gif thai ony haif, aganis the said George, his brether and servandis, the time abonewrittin, sua that thai haif actioun aganis nane uthairis, and tha salbe satifiit be my Lord Governour as accordis upoun ressone.

Apud Striveling, xxviij Martij, anno, etc. v^{c}xlvij^{to}.

Presente, Domino Gubernatore. Sederunt. Comes de Huntly Cancellarius. Episcopi—Dunkeldensis, Aberdonensis, Dumblanensis. Comites—Ergile, Sutherland, Athole. Abbates—Dumfermling, Cowper. Domini-Flemyng, Ruthven, Drummond. Dominus Georgeus Douglas.

The quhilk day, forsamekle as my Lord Governoure and Lordis of Counsale, havand respect to the debatis, contraversyis and quarrellis, depending betwix George Lord Hume on that ane part, and Schir George Douglas of Pittendreich, Knycht, on that uthair part, and that the parteis ar greit, quhairthrow my Lord Governour may nocht be weill servit in the cuntre without concord be had betwix all parteis, and for putting of ordour in the premissis thairfor, my Lord Governour and Lordis of Secreit Counsale assignis to baith the saidis parteis the xxv day of Aprile nixtocum, to compeir befoir my Lord Governour and Lordis of Secreit Counsale in Edinburgh, or quhair it sal happin his grace to be for the tyme, and thair to bring and produce befoir thame sik rychtis, writtis, evidentis and documentis as athair of thame hes, or will use aganis uthairis, tuiching all rychtis and tittle of rycht that athair of thame hes or will use, anentis all debatis, contraversyis and querrellis quhatsumevir, and siclik to schaw sic kyndnes as tha have, and in speciale tuiching the place and landis of Coldbranspeith, sua that his grace with avise of the lordis of counsale may put ordour thairto as accordis, with certificatioun to the parti that comperis nocht to the effect forsaid, that my Lord Governour with avise of the Lordis of Counsale, will tak the partiis rychtis that comperis, and will avise with the samin and do thairintill that accordis upoun ressoun and justice.

Apud Glasgw, primo Maij, anno, etc. v^{c}xlvij^{to} *licet hic scribitur.*

Presente, Domino Gubernatore. Sederunt. Comes de Huntly Cancellarius. Episcopi—Dunkeldensis, Orchadensis. Comites—Merschell, Cassillis, Glencarne. Abbates—Cowper, Corsragwell.

Domini—Flemyng, Erskin, Ruthven, Simple. Dominus Georgeus Douglas.

The quhilk day, forsameikill as my Lord Governour and Lordis of Secrete Counsale understandand perfitlie that the fyne cunyeit silver, sik as the xviij đ. grott, is commonelie had furth of the realme, and nevir brocht agane within the samyn, and uthair cunye, na fyne silver bot for the maist parte copper, hes, gettis passage amangis our Soverane Ladyis liegis, sik as the grote callit the bagcheik; and to the effect that the fyne cunyeit silver may remane in this realme, and nocht to be transportit furth of the samin, it is divisit, statute, and ordanit that the grote callit the bagcheik, quhilk now hes passage in this realme for xvj đ. sall in all tymes cuming have passage throw the samin of na hiear price nor for xij đ., and thairfor ordanis lettres to be direct to mak publicatioun and intimatioun heirof, at the mercat croces of all burrowis within this realme, with ane charge to all and syndrie our Soverane Ladyis liegis, that nane of thame tak upoun hand to gif or tak the said bagcheik grote of ony hiear price nor for xij đ., for ony maner of merchandice or stuff, and na persoun refuse the samin of the said price of xij đ. under the pane of deid.

Apud Striveling xx[ix Maij.]

Sederunt. Comes de Huntly Cancellarius. Episcopi—Dunkeldensis, Abirdonensis, Dunblanensis, Orchadensis. Comites—Ergile, Sutherland, Athole. Abbates—Dunfermling, Cowper. Domini—Flemyng, Ruthven, Drummond. Dominus Georgeus Douglas.

In presens of my Lord Governour and Lordis of Counsel, comperit William Lord Ruthven, Patrik Maister of Ruthven his son, David Lord Drummond, for tham selffis, thair kyn, freindis, men, tennentis, servandis, allya, assisteris, and part takarris on that ane part; and Patrik Lord Gray, and Thomas Charteris of Kynfawnys, Thomas Wentoun of Stratmertyne, for thame selffis, thair kyn, freindis, men, tennentis, servandis, assisteris, allya, and part takaris on that uthair part; and hes namyt thir personis underwrittin, to aggre thame to appunct, concord, and aggre thame upon all maner of actionis, caussis, querelis, debatis, and contraversyis quhatsumevir, that ony of thame hes to say aganis uthairis, befor the day of the dait herof, viz.; for the said Lord Gray, James Maister of Ogilvy, Patrik Ogilvy of Inchemertyne, James Ogilvy of Clovay, Schir James Leremonth of Darsy, Knycht, James Ogilvy of Balfour and Andrew Gray of Tulynad, or ony four of thame; and for the part of the said Lord Ruthven, Robert Master of Erskyn, George Gordon of Geith, Patrik Hepburn of Wauchton, William Muncreiff of that Ilk, Abircrummy of Murthle, Johne Crechton of Strathurde, or ony four of thame; to quham the saidis partiis hes referrit and submyttit thame, to fulfill, obey, and underly, and quhatevir tha decerne tha sall abyde at the samin, and thair decrete sall have the strenth of ane decret of the Lordis of Counsell, and salbe putt in the bukis thairof, and in

caise that the saidis viij personis aggre nocht my Lord Governour . . . . . and the saidis partiis and jugis, to convene in Edinburgh the xxviij day of April nixtocum, and thare to accept the said materis in and apoun thame, and to deliver thairintill betwix that and Witsonday nixt thairefter; and in the meyntyme that thair be ane assurance betwix the saidis partiis in the best forme; and attour quha of the sadis lordis freinndis comperis nocht, and will nocht submitt thame in maner forsaid, nocht ane of the saidis lordis sall nocht tak thair part in the law nor by the law; and as to the Lard of Cragy[1] and Johne Charteris, the saidis partiis sall causse thame owthair to entir in ward or to pas out of the realme, and thair to remane induring my Lord Governouris and Counsellis will, betwix this and the said xxviij day of Aprile nixtocum. And giff tha will nocht obey the saidis lordis viz.: the Lord Ruthven and his freinndis sall putt the Lard of Cragy furth of the boundis, and hald thame furth and tak na part with thame nowthair directe nor indirect; and the said Lord Gray and his freindis sall putt Johne Charteris furth of thair boundis, and hald thame furth and tak na part with him, nowthair directe nor indirecte, in the law nor by the law, bot the autorite to putt at thame baith in thair personis, landis, and gudis, quhill tha cum to obedience. And as to the teynd fische of the Kirk of Kynfawnyes, tha salbe intromettit with be Johne Cristesoun and Johne Merschell, burgessis of Perth, quhill the said xxviij day of Aprile nixtocum, to be furth cumand to thame fundin havand rycht thairto, and my Lord Governour sall giff to the said Lard of Cragy and Johne Charteris ane respect or remissioun to that effect, that tha may entir in ward or pas furth of the realme as tha plese to chose, and instantlie ilkane of the saidis lordis, for thame selffis, thair kyn, freinndis, men, tennentis, adherentis, allya, and parttakaris, assuris ilkane uthair unto the fest of Witsonday nixtocum in the law and by the law.[2]

PATRIK LORD GRAY.
JAMES CHARTERIS of K.

WILLIAM LORD RUTHVEN.
DAVID LORD DRUMMOND.

Apud Edinburgh, quinto Aprilis, anno, etc. v^{c} quadragesimo septimo.

Sederunt. Episcopus Dunkeldensis. Abbates—Glenluse, Culross. Domini—Georgeus Douglas de Pettindrech, Johannes Campbell de Lundy, Willelmus Hammiltoun de Sanchar, Milites. Clericus Registri. M. Henricus Lauder, Advocatus.

The quhilk day, fforsamekill as oure Soverane Ladyis lettres wer direct, chargeing Johne Skrimgeour of Glastree, Constable of Dunde and provest of the samyn, to tak and apprehend Johne Scott, prentar, and to bring and present him within the Castell of Edinburgh, and to deliver him to the capitane thairof, ta be punist for his demeretis and faltis conforme to the

[1] John Ross.

[2] The signatures are autograph.

lawis and consuetude of the realme, under the pane of tresoun: At command of the quhilkis, the said Johne Skrimgeour as he allegit did his exact diligence to apprehend him, and culd nocht fynd him, and the said Johne comperand to ansuer upoun his charge, schew how he had socht the said Johne Scott and could nocht apprehend him, as said is. Tharfor, the Lordis of Counsale, of the said Johnis awin consent, ordanis him to do his exact diligence for the seiking and seircheing of the said Johne Scott within the boundis of his office, and to tak and apprehend him, and to bring and put him within the Castell of Edinburgh, and deliver him to the capitane thairof to the effect forsaid, eftir the forme and tennour of the lettres direct to him thairupoun of befor, and under the panis contenit in the samin. And in caise the said Johne Scott can nocht be gottin, and beis fugitive to the boundis of the scherefdomes of Forfair, Kincardine, Perth, Fiff, and uthairis places thairabout, ordanis the Schereffis of the saidis schiris, Provestis, Aldermen, and Baillies of the Burrowis of the samyn, to pass serche, and seik the said Johne quhair evir he may be apprehendit, within the boundis of thair offices, ilk ane of thame for thair awin part, and to tak and apprehend him, and to bring and present him within the Castell of Edinburgh, and to deliver him to the capitane thairof with all diligence. And giff the said Johne Scott happinnis to pas to ony strenthis or castellis, and haldis him thairintill, ordanis the said Schereffis and thair Deputis, Provestis, Aldermen, and Baillies of Burrowis, and uthairis officiaris of the Quenis, Scheriffis in that pairt, to pas and command, and charge the maisteris, awneris, and keiparas of sik castellis, houssis, and strenthis, that thai intromet with all diligence, bring and present the said Johne Scott within the said Castell of Edinburgh, and deliver him to the capitane thairof to the effect forsaid, under the pane to be repute and haldin as art and part takar with him in his evill deidis, and to be callit accusit and puneist thairfor with all rigour as effeiris conforme to the lawis of the realme.

The samyn day, Johne Skrimgeour of Glestre, provest off Dunde, hes, in presens of the Lordis of Counsale, renuncit and renunces, his office of provestrie of the burgh of Dunde, and nevir to haif intrometting thairwith fra hyne furth in tymes to cum, and thairupoun askit instrumentis, hora tertia post meridiem.

The quhilk day, my Lord Governour and Lordis of Counsale, for certane causis and considerationis moving thaim, ordanis lettres to be direct to officiaris of the Quenis, Scheriffis in that pairt, to relax Johne Charteris of Cuthilgurdy and James Charteris of Kynfawnys fra the proces of the horne, led or to be led upoun thaim, for ony actionis, caussis, or crymes quhatsumevir, done be thaim in ony tymes bygane unto the xxviij day of Aprile nextocum and viij dayis thaireftir, and to ressave thaim to our Soverane Ladyis pece, and gif thaim the wand thairof for the caussis forsaidis.

Apud Edinburgh, tertio Maij, anno, etc. v^c quadragesimo septimo.

Presente, Domino Gubernatore. Sederunt, Comes de Huntly Cancellarius. Episcopi—Dunkeldensis, Moraviensis, Dunblanensis, Orchadensis. Comites—Angus, Merschell, Cassillis. Abbates—Cowper, Dunfermling. Domini—Ruthven, Lindesay de Byres, Glammys. Dominus—Georgeus Douglas, Willelmus Hammiltoun de Sanquhare, Milites. Clericus Registri.

The quhilk day, forsamekill as the pennies and halfpennyis ar all for the maist parte putt away, and thair is nane in this realme, quhair throw our Soverane Ladyis liegis and specialie the pure incurris grete hurt and dampnage throw the want thairof, Thairfor my Lord Governour with avise of the Lordis of Counsale, ordanis that tuelff stane wecht of silver be cunyeit in pennyis and halfpennyis off the fyness and wecht of the penny past of auld in this realme, and ordanis the saidis pennyis and halfpennyis to haif course and passage commonlie outthrouch this realme indifferentlie amangis our Soverane Ladyis liegis.

The quhilk day, my Lord Governour with avise of the Lordis of Counsale, for resistence of to thevis and tratouris that daylie and nychtly makis revis, slauchteris, mowrtouris, and oppressionis upoun our Soverane Ladyis liegis; thairfor it is statute and ordanit that Johne Maister Maxwell, Lard of Lochinver,[1] Laird of Gairles,[2] Lard of Bomby,[3] with the rest of the lordis and gentile men of Gallaway and Nethysdaile, except the Lard Drumlangrik,[4] Lard of Closeburne,[5] and the Lard of Lage,[6] sall pas and ly in Lochmaben and thair to remane for the space of ane moneth nixt eftir thair cuming to the said place, and to begyn the xx^tj day of May instant.

Item, that the Lard of Drumlanrik and freindis and folkis to ly in Moffett and with him ane hundreith horsmen of the nether ward of Cliddisdaile, Lowthiane Est and West, Kylismen and Cumnok.

Item, my Lord of Angus sall ly upoun Tueid and keip betuix Harysstane and Peiblis Est and West, and with him the ouir ward of Cliddisdaile and gentill men of Tueddaile; and that lettres be direct to command and charge all and sindrie personis to keip the day abonewrittin, and to cum to the places abonewrittin respective, and thair to remane during the said space.

Apud Edinburgh, [vigesimo Maii, anno, etc.[7]] quingentesimo quadragesimo septimo.

Presente, Domino Gubernatore. Sederunt. Episcopus Moraviensis. Comites — Angus, Cassillis. Abbates — Cowper, Dunfermling, Culross. Rotulator. Domini—Ruthven, Lindesay. Johannes

[1] James Gordon.
[2] Alexander Stewart.
[3] Thomas M'Lellan.
[4] James Douglas.
[5] Thomas Kirkpatrick.
[6] John Grierson.
[7] See below, Register of 24th July.

Campbell de Lundy, Willelmus Hammiltoun de Sanquhare, Milites. Clericus Registri. Clericus Justiciarie. M. Henricus Lauder, Advocatus.

The quhilk day, forsamekle as my Lord Governour and Lordis of Secrete Counsel being with his Grace for the tyme, havand respect to the debatis, contraversyis, causis, and querrelis depending betwix George Lord Hume on that ane part, and Schir George Douglas of Pettindrech, Knycht, on that uthair part; and that the partiis ar grete quharethrow my Lord Governour may nocht be wele servit in the cuntre without concord be had betwix all partiis, and for putting of ordour in the premissis, Tharefor my Lord Governour and Lordis of Secrete Counsele assignit of befor to baith the sadis partiis the xxv day of Aprile last bipast, to thame to comper befor his Grace and Lordis of Secrete Counsel, to heir and see ordour putt in the premissis; and for diverse caussis the said lord kepit nocht the said day, and thairfor now presentlie for stanching of cummer betuix the saidis partiis and tranquillite to be had amangis thame in tymes to cum, assignis to the said George Lord Hume of his awine consent, and takand the byrding upoun him for Alexander Maister of Hume, Maister Johne Hume son to the Abbot of Jedburcht, Nyniane Hume, and the remanent of his kyn, freindis, and servandis, on that ane part, and to the said Schir George Douglas for himselff and takand the byrding upon him for his kyn, freindis, and servandis on that uthair part,—the xxiiij day of Julij nixtocum with continuation of days, to comper befor my Lord Governour and Lordis of Secret Counsel or sa mony as sal happin to be with his Grace for the tyme, in the burgh of Edinburgh; and thare to bring and produce befor tham sik writtis, rychtis, evidentis, and documentis as athair of thame hes or will use aganis uthairis; bringing all rychtis and title of rychtis that athair of thame hes or will use anentis all debatis, querelis, caussis, and actionis quhatsumevir that athair of thame hes to schaw or allege aganis uthairis; and to schaw sik kyndnes as tha have, and to giff in thair clames hinc inde aganis uthairis, the said day as said is; and in speciale tuiching the place and landis of Colbrandspeth, sua that his Grace with avise of the Lordis of Secrete Counsel may putt ordour thairto as accordis, with certificatioun to the parti that comperis nocht to the effect forsaid, that my Lord Governour with avise of the saidis Lordis will tak the partiis rychtis that comperis, and will avise with the samin, and thairefter proceid and minster justice as accordis; and attour, the said George Lord Hume of his awine consent for him selff, his kyn, freinndis, and servandis, bindis and oblissis him, that he sall desist and cese fra all stop, molestatioun, lett, and impediment making to the said Schir George Douglas, his ballies, officiaris and servandis in his name, in the using of his warnying and executioun thairof in quiet maner upon the tennentis of the landis and lordschip of Colbrandspeth, conforme to his precept direct thairupon; and my Lord Governour and Lordis of Secret Counsel for the caussis forsadis, ordanis the said George Lord Hume to desist and ceise fra all molestatioun, trubling, lett, and impediment making, to the said Schir George, his servandis and factouris in his name, in the

bigging of his hall at the place of Coldbranspeth; in the meyntime without hurt or prejudice of athair of the partiis rychtis, kyndnes, and possessioun, that tha have or can allege to the samin, and that lettres be direct herupon as efferis giff neid beis.

JAMES G.
CATHANENSIS. DUNKELDENSIS.
JHON LORD LYNDSAY. DUNFERMLYN.
VILLELMUS DE CULROSS.
D. DE CUPER.[1]

The quhilk day, forsamekle as my Lord Governour and Lordis of Counsale ar advertist, that our auld inemeis of Ingland ar in ane reddynes with navy of Inglis schippis to cum and invaid the realme, and to land upon sum partis of the samin, and to birne, hery, sla, and distroy the liegis of the samin, lik as thai have done in tymes bypast; and to the effect that this realme and liegis thairof may be reddy to resist unto thame, it is divisit, statute, and ordanit that bales be set and kepit apoun the nycht apoun the places following for advertisment to be maid to our Soverane Ladyis liegis: That is to say the first baill to be maid and kepit apoun Sanctabbis heid, the secund baile to be maid and kepit apoun the Dowhill aboun Fascastell, the thrid baile to be put and kepit apoun the Dounlaw aboun Spott, the feird baile to be put and kepit apoun Northberwiklaw, the fift baile to be maid and kepit apoun Dounprendarlaw, the saxt baile to be maid and kepit apoun Arthour Set or the Castell of Edinburgh, and the sevint baile to be apoun Bynnyngiscrage aboun Linlithqo; and for making and kepyng of the saidis bailis, and that my Lord Governour sall nocht be defraudit thairthrow, it is thocht necessar and expedient that Schir George Douglas of Pettindrecht, Knycht, sall have the cure and keping of the said first baile at Sanctabbis heid and siclik, the Lard of Rastalrig[2] to have the cure and keping of the said baile of Dowhill aboun Fastcastell, and that Robert Hammiltoun, capitane of Dunbare, sall have the cure and keping of the baile at the Dounlaw aboun Spott, and the Prioures of Northberwik[3] to have the cure and keping of the baille apoun Northberwiklaw, and Patrik Erle Boithwell to have the cure and keping of the said baile apoun Dounprendarlaw, and that the toun of Edinburgh to have the cure and keping of the baile apoun Arthour Sait or the Castell of Edinburgh, and that Williame Hammiltoun of Perdovin and Mathow Hammiltoun, maister houshald to my Lord Governour, sall have the cure and keping of the baile aboun Bynnyngiscrage aboun Linlithqu. And in cais that the saidis inemeis of Ingland happynnis to cum and invaid this realme apoun day lycht and for advertisment thairof, and that our Soverane Ladyis liegis may be in ane reddynes to await thairupoun, it is thocht expedient as said is, that the saidis personis respective have post horsis ilk ane of thame for thair awin part, at the bailis forsaidis, to await apoun the incuming of our saidis inemeis, and the samin postis to depart fra the baile

[1] The signatures are autograph. [2] Robert Logan. [3] Dame Margaret Home.

of Sanctabbis heid to the Lard of Restalrig and uthairis, keparis of the said Castell of Fascastell and kepar of the said baile of Dowhill aboun Fascastell; and the kepar of the said baile of Dowhill to post to the Capitane of Dunbar foresaid, kepar of the said baile of Dounlaw aboun Spott; and the said Capitane of Dunbar to mak the post to the said Priores of Northberwik, kepar of the said baile of Northberwiklaw; and the said Priores to mak the post to the said Patrik Erle Boithuell, kepar of the said baile of Dounprenderlaw; and the said Erle Boithuell to mak the post to the toun of Edinburgh, keparis of the said baill of Arthursait; and the said toun of Edinburgh to mak the post to the keparis of the baile apoun Bynnyngiscrage, and siclik the keparis of the said [baile] of Bynnyngiscrage to mak the post to Striveling for advertising of thame of the premissis. Thairfor ordanis lettres to be direct to officiaris of the Quenis, Schereffis in that parte, chargeing thame to pas to the mercat croces of the burrowis of Dunbar, North Berwik, Hadintoun, Edinburgh, Linlithqu, Striviling, Lauder, Selkirk, Peblis, and uthairis places neidfull, and thair be oppin proclamatioun command and charge all and sindry our Soverane Ladyis leigis, betwix sexty and sextene, and uthair fensabill men, baith to burgh and to land, als weill regalite as rialte, duelland apoun spirituall mennis lands as temporall mennis lands, that thai and ilk ane of thame gif attendence to the sycht of the saidis bailis, and all tha that duellis fra Hadintoun est, be in ane reddynes weill bodin in feir of weir with armour and walppynnis in thair maist substantious maner, baith on hors and fute, and cum fordwart with the saidis schippis with sic furnessing as ma serve thame for the tyme, how soune the saidis schippis sall happin to pas by thair boundis, to my Lord Governour to the burgh of Edinburgh, and siclik all tha that duellis fra Hadintoun west, that tha tak advertisment to the saidis bailis and cum fordwart to my Lord Governour to Edinburgh, weill bodin in feir of weir and furnist as said is, under the pane of tinsale of lif, landis, and gudis, becaus my Lord Governour is determit and declaris that he will defend this realme and liberte thairof, and wair his life thairupoun, with the help of God, the noble men and subjectis of the samin.

The samin day, forsamekle as my Lord Governour beand advertist that the auld inemeis of Ingland ar in ane reddynes with ane navy of Inglis schippis to cum and invaid this realme and the land apoun sum partis of the samin, and to birne, hery, sla, and distroy the liegis thairof lik as thai have done in tymes bypast, and for resistence thairof my Lord Governour is determit and declaris, that he will defend this realme and liberte thairof and wair his life thairupoun, with the help of God, the noble men and subjectis of the samin. Quhairfor it is thocht expedient that every persoun baith to burgh and to land, remane and dwell at his awine hous and duelling place, and nocht to remove him self nor his gudis thairfra; and thairfor ordanis lettres to be direct to the Quenis officiaris, Scheriffis in that parte, chargeing thame to pas to the mercat croces of the burrowis of Dunbar, Hadintoun, Edinburgh, Northberwik, Linlithqu, Striviling, Lauder, Peblis, Selkirk, and uthairis places neidfull, and thair be oppin proclamatioun command and

charge all and sindry our Soverane Ladyis liegis duelland within the boundis abounwrittin, bayth to burgh and to land, als weill regalite or rialte, duelland apoun spirituall mennis landis as temporall mennis landis, that tha nor nane of thame tak upoun hand to remove nor depart fra thair houssis nor duelling places, nor put thair gudis furth of the samin to ony uthair place, under the pane of escheting of all thair gudis movable and uptakin thairof, and punissing of thair personis as accordis; with certificatioun to thame that dois in the contrair that thai salbe reput and halding as misfavouraris of this realme and liberte thairof and evill willaris to the samyn.

Apud Edinburgh, primo Julij, anno, etc. xlvij.

The quhilk day, my Lord Governour and Lordis of Secreit Counsele, and the maist part of the haill nobillis of this realme, beand convenit and assemblit togidder, havand respect to the greit and mony incursionis dayle and continewalie maid upoun this realme be our auld ynemeis of Ingland, and surlie informit of the greit preparationis and tyrany divisit and ordanit be our saidis auld ynemeis for the distructioun of this realme this nixt harvist approchand, hes, for substantious resistance thairof willinglie of thair awine curaige, offerit thaim selffis reddy to defend thair auld liberte with thair bodyis and substance, and to wair the haill nobilite thairupoun. Thairfor ordanis lettres to be direct to all Schereffis, Stewartis, Ballies, alsweill regalite as ryalte, and thair Deputis, Provestis, Auldermen, and Ballies of Borrowis, and uthairis officiaris of the Quenis, Schereffis in that part, chargeing thame to pas to the mercat croces of all borrowis and townis of this realme, and uthairis places neidfull, and thair be oppin proclamatioun command and charge all and sindry our Soverane Ladyis liegis betuix sexty and xvj, and uthair fensabill men, baith to burgh and land, alsweill regalite as ryalte, alsweill dwelland upoun spirituale mennis landis as temporall mennis landis, that thai and every of thame be in reddynes weill bodin in feir of weir in thair maist substantious maner, with armour and wappynnis efter the forme of the Act of Parliament,[1] to cum forward at the first day of August nix to cum, as thai salbe chargeit and advertesit, upoun viij dayis warning, for resisting of our saidis auld ynemeis, defens of this realme and liberte thairof, under the pane of tynsell of lyf, landis, and gudis, nochtwithstanding the actis and ordinances maid of befor for rasing and lifting of ane furnist man of every vij merk land of auld extent furnist upoun the expenssis thairof, for the space of twa monethis, lik as the said act at mair lenth proportis; quhilk act and ordinance my Lord Governour and lordis forsaidis hes dischargeit, and be the tennour heirof discharges the samyn. And becaus thair is diverse prelattis, schereffis, erlis, lordis, baronis, and uthairis frehalderis, that hes takin up the taxt forsaid fra thair tennentis within thair boundis, landis, and jurisdictioun, Thairfor my Lord Governour and Lordis forsaid, ... ordanis thame and every of thame for thair awin part to deliver, content, and pay agane the

[1] Act 1540, c. 23, "The manere of harness wapnis and armoure," Act. Parl. Scot. II. 262.

said taxt takin up as said is to thair saidis tennentis, ilk ane at his awin part, within x dayis nixt efter this charge, with certificatioun to ilk spirituale man that failyeis heirintill, that he salbe compellit to pay his part of the haill taxt of xxxv^{m} lĭ. and quit his tennent fre or thrall ane yeris maill of the landis that he hes and haldis of the said spirituale man, and siclik with certificatioun to ilk temporale man, and he failye heirintill that he salbe callit and accusit as ane contempnar and brekar of this present act, to ane particular dyet and salbe punist thairfor, in thair livis and gudis, with all rigour for his contemptioun. And for performing of the premissis, ordanis the Justice, Justice Clerk, and Thesaurar-Clerk, to tak diligent inquisitioun of the personis bayth spirituale and temporall that rannderis nocht agane the said taxt to the saidis tennentis respective, and roll thair names swa that my Lord of Sanctandrois on that ane part may direct his lettres of cursing upoun the prelattis and kirkmen for non-payment of thair partis of the haill taxt in maner forsaid, and the said Justice, Justice Clerk, and Thesaurar clerk on that uthair part may direct lettres upoun the temporall men in maner abone exprimit for thair contemption, and ordanis the clergy to eontent and pay and deliver the soum of xv^{m} lĭ. of the taxt of xxxv^{m} lĭ. grantit of befor to be equalie distribut and payit amangis thame ilk ane of thaim for his awin part, efferand to the rait and quantite of thair benefices, conforme to the taxatioun maid amangis thame thairupon. Providing alwayis that the soumes of money ellis payit be the clergy of the said taxt to the collectouris thairof be allowit in part of payment of the said soum of xv^{m} lĭ.

Apud Edinburgh, vigesimo qua[rto] Julii, anno, etc. v^{c}xlvii.

Presente, Domino Gubernatore. Sederunt. Dominus Comes de Huntlie Cancellarius, Comes de Errol. Domini—Ruthven, Sanct Johannis. Abbas de Culros. Clericus Justiciarie. Magister Henricus Lauder, Advocatus.

The quhilk day, forasmeikile as the xxiiii day of July instant, with continewatioun of dayes, wes assignit be my Lord Governor and Lordes of Counsel to George Lord Hume of his own consent, etc. [Sequel to proceedings of 28th March and 20th May. The dispute between Lord Hume and Sir George Douglas set forth in the same terms. Sir George Douglas being present, produced "ane lettre of tak maid to him be umquhile Margaret, Quene of Scotland, and conjunct-fear of the lands of Colbrandspeth, with avise and consent of Archibald, Erle of Angus, hir spous for the tyme, of all and haill the lands of Colbrandspeth," with the tower and other pertinents. Also produced a charter, followed by infeftment, by Alexander Sinclair, brother of Sir William Sinclair of Roslin, setting forth that he had sold to Sir George the lands of Colbrandspeth, etc. On these grounds, and no appearance being entered on the other side, the decision in favour of Sir George.]

Apud Edinburgh, vigesimo secundo Augusti, anno Domini millesimo quingentesimo quadragesimo septimo.

Presentibus, Regina, et Gubernatore. Sederunt. Episcopi—Dunkeldensis, Candidecase. Abbates—Dunfermling, Dryburgh, Culross. Rotulator. Domini—Erskyn, Flemyng. Adam Otterburn. Clericus Registri. Johannes Campbell de Lundy, Miles. Clericus Justiciarie. Henricus Lauder, Advocatus.

The quhilk day, forsamekle as my Lord Governour and Lordis of Secrete Counsale being avisit, and hes sene and considerit the writingis send fra the King of Denmark and the dominionis of Emden to my Lord Governour, and siclik with the articlis and desyris desyrit be the said Countes ambassatoris and commissioneris to be performit, the Quenis Grace, my Lord Governour, and Lordis of Secrete Counsale, answeiris thairto as eftir followis. In the first, tuiching the desire of the saidis ambassatouris that the Quenis Grace, my Lord Governour and Lordis of Secrete Counsale, wald restore and remitt all debaitis and dampnageis done to the Erle and Countes of Emdennys subditis, be the subditis of the realme of Scotland, to the decisioun and deliverance of the King of Denmark: It is answerit that the Quenis Grace, my Lord Governour and Lordis forsaidis, wald nocht alanerlie refere sik materis to the said King, but wald refer greter materis to his deliverance; yit nocht the les the Quenis Grace, my Lord Governour and Lordis, understandis that the realme of Scotland is ane fre realme, and alsweill previlegit as ony uthair realmeis, and hes minsterit and dailie minsteris justice to all partijs complenyeand; and thairfor hes thocht expedient that all personis complenyeand cum and persew thair actionis befor the Lordis of our Soverane Ladyis Counsale, and justice salbe ministerit as accordis. Secundlie, tuiching the desire of the pece of ten yeiris betuix the Erle and Countes of Emden, their cuntrie and subditis and our Soverane Lady hir realme and subditis; the Quenis Grace, my Lord Governour and Lordis of Counsale, grantis glaidlie thairto, and quhat securite that the ambassatouris of the said Erle and Countes will mak for the sure keiping and performyng of the said pece, the saidis ambassatouris sal haif the sambleblie for the part of Scotland. Thridlie, tuiching the saidis ambassatouris desyris, that redressis suld be maid of all dampnaiges and injuris done to the said Erle and Countes subditis, be the subditis of this realme sen the last writtingis send be my Lord Governour to the said Duchessis, the Quenis Grace, my Lord Governour and Lordis of Counsale, ordanis all personis complenyeand upoun the subditis of this realme, to cum and persew thair actionis befor the Lordis of Consale, and thai sal haif summar proces and justice with expeditioun; providing alwayis that the liegis and subditis of this realme complenyeand upoun the saidis Duchessis subditis, haif siclik summar proces and justice with expeditioun aganis thame in all actionis as accordis. Ferdlie, tuiching the saidis ambassatouris allegence that it is certane our Soverane Ladyis liegis of this realme that allegis thame to haif ane letter of mark to tak of the said Erle and Countes subditis, my Lord Governour

answeiris thairto that he remembres nocht that ony sik letteris of mark ar gevin to ony subdit of this realme, and gif ony be gevin, hes dischargeit, and be the tennour heirof dischargeis the samin and effect thairof for now and ever.

. . . . . .

The quhilk day, my Lord Governour, with avise of the Lordis of Counsale, hes statute and ordanit that quhatsumever persoun or personis that happynnis to be slane, hurt to deid, or takis seiknes in our Soverane Ladyis army, now ordanit in reddynes to pas fordwart for defens of this realme, and resisting of our auld ynemeis of Ingland, now gadderit to invaid the samyn, and deis in the said seiknes, gangand, remanand, or cumand thairfra; that thair air or airis sall haif thair ward, nonentres, releif, and mariage fre of our Soverane Lady, dispensand with thair minorite and less aige, quhat eild that ever thai be of, without payment of ony teind penny; and siclik of all uthair ourlordis, spirituale and temporall, baith of vassallis and subvassallis, providing that the airis forsaidis persew and obtene entres of thair ourlordis within thre termes efter the deceise of thair faderis or of quhatsumever uthair personis quhaim to thai ar to succeid, for the caussis forsaidis; and gif the saidis airis be of less aige, within tutory, and beis nocht enterit to thair landis and heretaige befoir thair aige of xiiij yeris, quhilk may be throw negligens of thair tutoris and uthairis freyndis, oure Soverane Lady privelegis and grantis to thaim that thai may enter within thre termes nixt efter thair compleit aige of xiiij yeris as said is, and this to be extendit to the mediat air that is to succeid to the persoun that happynnis to deceis in our said Soverane Ladyis army in maner forsaid, and becaus it may happin the said persoun that happynnis to deceis in the said army, may haif ma lauchfull barnis of his body by his air, Thairfor ordanis that the proffitt of his ward landis to be tane up be thair moderis gif thair be na tutoris testamentar, als lang as schö remanis wedo, and failyeing thairof, the nerrest and lauchfull tutoris of the saidis barnis, to be distribut for the sustentatioun of the said air, and to the utilite and proffitt of the remanent of his brether and sisteris, to the perfect aige of the said air or airis, that is to say, gif thai be maill, of xxj yeris, and gif they be femell, of xiiij yeris, the proffitt of the said airis meriage being ay fre to him selff, his said moder . . . . . befor the lordis, that thai and ilk ane of them comper . . . . . intromissioun befoir the Lordis of Counsale, or in the chekker yearlie, and gif the airis of the personis that happynnis to de as said is, haif ony fewis that thai enter siclik to thair few landis haldin of quhatsumever personis, spirituall or temporall, within the termes forsaidis, without ony payment of the doubling of few.

The quhilk day, my Lord Governour and all the nobill men, baronis, frehaldaris, and gentilmen being convenit and assemblit togidder to pass fordwart for defens of this realme, and resisting of our auld ynemeis of Ingland, now instantlie approchand to my Lord Governour and his army, hes divisit, statute, and ordanit, alsweill be my Lord Governouris awin consent as be

consent of the nobill men, baith spirituall and temporall; that it sal happin, as God forbid, ony erle, lord, barone, frehaldar, vassall, subvassale, fewaris, malaris, takkismen, rentalaris, and possessioneris or commonis, to be slane or tak seiknes, quhairthrow thai happin to deceis at this present army, that thair airis, executoris, or assigneis sall frelie haif thair awin wardis, relevis, and mariages in thair awin handis, to be disponit thairupoun as thai sall think expedient, and siclik thair wyffis, barnis, executouris, or assignis, sall brouk and jois thair takkis, stedingis, rowmes, and possessionis, alsweill of kirklandis as of temporall mennis landis, and enter thairto and remane thairwith frelie for the space of five yeris without ony gressum or entres silver, payand allanerlie maill and dewiteis usit and wont, and the said act alsweill to extend upoun kirkmennis vassallis and temporall mennis as the Quenis; and ferther ordanis the Clerk of Register to extend the samyn act in the maist ample and largest forme, to the effect forsaid, and to register the samin in the bukis of Counsale.

The quhilk day, my Lord Governour, with avise and consent of all the prelattis, kirkmen, erlis, lordis, baronis, and all uthairis patronis of benefices, baith spirituall and temporall, understandand that the haill body of the realme is . . . . . ynemeis of Ingland now cumin in this realme . . . . . ordanis that quhatsumever kirkman that happynnis to be slane in this present army, hurt to the deid, or takkis seikness in the samyn and deis in the said seikness, gangand, remanand, or cumand thairfra, that the nerrest of the said kirkmennis kin sal haif the presentatioun, provisioun, and collatioun of his benefice for that tyme allanerlie, and the samyn to be disponit to the nerrest of his kin that happynnis to be slane or deceis in maner forsaid, maist abill thairfor, and the proffittis of thair benefices, with the fruttis speciall on the ground, with the annett thairefter, to pertene to thaim and thair executouris, alsweill abbottis, priouris, and all uthairis religious men, as all uthair kirkmen.

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Sederunt. Episcopi—Dunkeldensis, Moraviensis, Candidecase. Abbates—Cowper, Dunfermling, Culross. Postulatus Glasguensis. Thesaurarius Glasguensis. Vicarius generalis ejusdem.

The quhilk day, forsamekill as the haill clergy, prelattis, and beneficit men of this realme laitlie grantit to my Lord Governour, for the furth bering of our Soverane Ladys autorite and repressing of faltouris, and for diverse uthairis caussis, the soum of xxv^{c} ℔. to be payit be thame to his Grace at the feist of Midsomer last bipast, and the soume of xxv^{c} ℔. at the feist of Sanctandro nix to cum lik as in the act maid thairupoun is at mair lenth contenit, and now the prelattis and kirkmen abone writtin, haifand respect to the effaris of this realme presentlie occurrand, and in speciale that our auld ynemeis of Ingland hes be way of deid takin the places of Sanctcolmisinche, the craig and place of Bruchty, the place of Hume, and Aldroxburgh, and hes ranforsit the samin, and biggit fortalices and

strenthis thairintill, and daylie and continualie perseveris in thair bigging and ranforsing of the saidis places quhilkis may engenner ane greit inconvenient without the samyn be haistelie remedit, and for recovering thairof furth of thair handis, the saidis prelattis and beneficit men abone writtin hes instantlie avansit to my said Lord Governour to the effect forsaid, thair partis of the said Androismess terme togidder with thè rest of the last Midsomer terme awand be thaim, and promittis to pay the samyn now incontinent in hand, and thairfor exhortis and prayis the remanent of the prelattis and beneficit men of this realme that ar awand ony rest of the last Midsomer terme, and siclik that aucht to pay the next Androismess terme, that thai and ilk ane of thaim for thair awin part, awanse now instantlie incontinent the said taxt and pay the samin in hand to the effect forsaid for the caussis abonewrittin, and in likwyse ordanis lettres to be direct heirupoun as efferis, and gif ony inferiouris . . . . beneficit men refuise to mak payment of the said taxt incontinent in maner forsaid, exhortes and prayis thair ordinaris to direct thairupon lettres in the maist scharp forme, for inbringing of the said taxt incontinent for performing of the premissis.

The samyn day, ane reverend fader in God, Johnne Bischop of Dunkeld and the remanent of the kirkmen abonewrittin understandand the place of Sanctcolmisinche is laitlie takin be our auld ynemeis of Ingland, and that thai now instantlie are biggand and ranforsand the samin, and without the samin be hastelie persewit and recoverit furth of thair handis, thair may follow greit inconvenientis to the realme quhilkis may nocht be weill heirefter ramedit, Thairfor ordanis the Abbot of Sanctcolmisinche to content and pay to my Lord Governour the sum of five hundredth pundis usuale money of this realme off the reddiest fruttis of the said abbacy of this instant yeir and crop, to fee wageouris and men of weir for recovering of the said place furth of the handis of our saidis auld ynemyis, becaus his Grace hes instantlie debursit the samyn befoir hand to the effect forsaid, and ordanis the said Abbot and his convent religious men be honestlie stakit and furnist as efferis in the places of Sanctandrois, Arbroath, Scone, Lundoris, Dunfermling, Paslay, Cambuskynneth, and sik uthairis religious places as salbe thocht expedient to put thaim in to for this yeir.

The quhilk day, the Quenis Grace, my Lord Governour and Lordis of Secreit Counsale understandand perfytlie that our auld ynemeis of Ingland being in the house of Brouchty ar apperandlie to invaid the burgh of Dunde and hail cuntre, and to hery, sla, and distroy our Soverane Ladys liegis duelland within the boundis thairof without thai be resistit; Thairfor it is divisit and ordanit be my Lord Governour and Lordis forsaidis that thair salbe rasit thre hundreth men of weir of the quhilkis ane hundreth hagbutmen, and ane hundreth speirmen, the ane half to be equalie furnist be the greit prelattis constitut in dignitie of this realme, thair part extending to vj^{c} lib., and the uthair half be the inhabitantis of the burgh of Dunde, and ane hundreth horsemen to be furnist be the baronis and landit men of the

scherefdome of Perth fra Tay eist, and schereffdomes of Forfar and Kincardin, providing that thair be at all tymes ane certane of the baronis of the scherefdomes forsaidis with the saidis horsemen as salbe thocht expedient be my Lord Lieutennent, and all the saidis men of weir to be haldin and payit for the space of ane moneth begynnand at sik day as salbe appoyntit to thame be my Lord Lieutennent, and ordanis lettres to be direct heirupoun to command and charge all and sindry the baronis, frehalderis, and landit men of the forsaidis scherefdomes to burgh and to land of quhat degre thai be of, to answer and obey the premissis as thai salbe commandit be the said Lord Lieutennent, under the pane of tinsale of lif, landis, and gudis, and siclik to require the saidis prelattis to mak payment of thair partis of the said taxt devisit to the effect abone writtin, ilk ane for thair awin part efter the forme of the taxt roll maid thairupon, within xxiiij houris nixt efter thai be requirit under the pane of rebellioun, and failyeing thairof to put thame to the horne.

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Sederunt. Episcopus Dunkeldensis. Abbates—Dunfermling, Culross. Dominus Borthuik. Clericus Justiciarie.

The quhilk day, in presens of the Lordis of Counsale comperit Johnne Lord Borthuik, and at my Lord Governouris command, hes takin upoun him the cuire and keping of the place and fortalice of Halis, and hes fund and oblist him to keip the samyn surlie fra our auld ynemeis of Ingland and all uthairis, and sall nocht deliver the said place and fortalice to Patrik Erle Bothuille nor nain uthairis in his naim, but my Lord Governouris avise and command, under the pane of ten thousand pundis; and in caise ony adverteisment cummyis that our auld ynemeis intendis to cum and persew the said house and to recover the samyn furth of the said lordis handis, than and in that caise, the said Johne Lord Borthuik bindis and oblissis him, to mak sik adverteisment to my Lord Governour, upoun the space of four dais warning, that his Grace may send xxiiij horsemen to the said place of Halis for keping thairof, and sall mak thaim convoy surlie to pas and repas fra the samin, within the said space under the pane forsaid; and the said advertesment to be maid owthair to the Capitane of the Castell of Dunbar or to the Capitane of the Castell of Edinburgh in my Lord Governouris absence; and at the cuming of the said horsmen the said Lord Borthuik bindis and oblissis him to deliver the said place to thame to be usit as salbe commandit be my Lord Governour under the pane abone writtin.

The samyn day, Elizabeth Priores of Haddingtoun hes takin upoun hir the cuire and keping of the place and fortalice of Nunraw, and hes bundin and oblist hir, and be the tennour heirof bindis and oblissis hir, to keip the samyn surlie fra our auld ynemeis of Ingland and all uthairis, and sall nocht deliver the said place to na maner of persoun nor personis but my Lord

Governouris avise and command, and in caise . . . . . persew the samyn, and that . . . . . place than in that caise bindis and oblissis hir to cast down, byrn, and distroy the samyn swa that na habitatioun salbe had thairintill fra thyne furth.

The samyn day, forsamekill as my Lord Governour and Lordis of Counsale, haifand respect to the diverse enorme and exorbitant crymes committit and done be the Lardis of Ormestoun [1] and Bruntsoun,[2] and siclik be the keparis of the hous of Saltoun, and for thair false and treasonabill dedis, and how that thair houssis of Ormestoun, Saltoun, and Gilbertoun hes bene put in our auld ynemeis handis to the subversioun of the cuntre to thir opinion, and last of all our saidis auld ynemeis hes bene presentlie in the saidis houssis; quhairthrow thai have declarit thaim oppin and manifest tratouris and ressatteris of our saidis auld ynemeis, and for the persut thairof my Lord Governour hes presentlie assegit the saidis houssis and recoverit the samyn be way of deid; and becaus the saidis houssis may engenner cummeyris in the cuntre, and that na personis will tak upoun hand to keip the samyn surlie fra our saidis auld ynemeis, thair assisteris, and part takaris, thairfor it is divisit, statut, and ordanit that the saidis houssis of Saltoun, Ormestoun, and Gilbertoun be cassin down, swa that na habitatioun salbe had in ony of the saidis places to our saidis auld ynemeis fra thyne furth in ony tymes to cum.

[1] John Cockburne. [2] Alexander Creichtoun.

Apud Edinburgh, xxv^to Martij, anno . . .

Presentibus, Regina, et Gubernatore. Sederunt. Archiepiscopus Sancti Andree. Comes de Huntly Cancellarius. Episcopi—Moraviensis, Candidecase, Dunblanensis, Orchadensis. Comites—Argile, Merschell, Cassillis, Arroll. Domini—Ruthven, Drummond. Dominus Georgius Douglas. M. Simple. Clericus Registri. Clericus Justiciarie. Advocatus. Robertus Carnegy.

The quhilk day, it is divisit, statut, and ordanit, that for resisting of our auld ynemyis of Ingland, and defens of the West Bordouris and reparing of ane fort of strenth in the toune of Annand, for defense of the cuntre, and diverse uthairis respectis and considerationis moving thame, that the soum of iiij^m ℔. be rasit and upliftit of the prelattis and clergy of this realme, to be rasit and inbrocht to the collectoris to be depute thairto to the effect abonewrittin ; and in caise the said iiij^m ℔. be thankfullie payit and debursit be the prelattis and clergy, than and in that caise my Lord Governour and Lordis of Secreit Counsale promittis that thair sal be na taxatioun rasit agane upon thaim for the space of ane yeir nix to cum.

The samyn day, it is divisit, statut, and ordanit, that the Schereffis of Edinburgh principall, Edinburgh lying within the constabulary of Haddingtoun, Selkirk, and Lawderdaill, and thair Deputis, sall assist and concure with the Lardis of Lethingtoun,[1] Quhittinghame,[2] Elphinstoun, Trabroun, and Wauchtoun, in the avising of the furnessing of the oxin and pyoneris divisit for the furthbringing of our Soverane Ladyis munitioun and artillery to the oist and army, divisit to assemble and convene in Edinburgh [the xvi] day of Aprile nix to cum conforme to the Act maid thairupon.

Apud Edinburgh, xxvij Martij, anno, etc. v^c quinquagesimo.

Presentibus, Regina, et Gubernatore. Sederunt. Comes de Huntlie Cancellarius. Archiepiscopus Sancti Andree. Episcopi—Moraviensis, Candidecase, Dunblanensis, Orchadensis. Prior Sancti Andree. Abbates de Melross et Kelso. Comites—Merschell, Cassillis, Argile, Athole. Domini—Ruthven, Maxwell. Dominus Georgius Douglas. Clericus Registri. Clericus Justiciarie.

The quhilk day, the prelattis abonewrittin, for thame selff and the remanent of the kirkmen and clergy of this realme, hes grantit and consentit, and be the tennour heirof grantis and consentis, to gif and deliver to my Lord Governour the soume of iiij^m ℔. usual money of this realme, and oblissis thame to content, pay, and deliver the samyn to Robert Carnegy of Kynnard, collectour deput thairto, betuix this and the xx^tj day of May nix to cum ; and the saidis prelattis and kirkmen, to mak thair taxatioun upoun the beneficit men and thair inferiouris of all personis haifand xl ℔. of benefice and abone, and ferther ar content that sik ane ordour be usit

[1] Richard Maitland. [2] William Douglas.

upoun thaim for inbringing of the said taxt of iiij^{m} lĭ. in caise of non-payment of the samyn, as wes usit upoun thame for inbringing of uthair taxtis in tymes bigane.

Apud Edinburgh, tertio Aprilis, anno, etc. v^{c} quinquagesimo.

Presente Regina. Sederunt. Archiepiscopus Sancti Andree. Comites—Merschell, Cassillis. Abbates—Dunfermling
Clericus Registri. Robertus Carnegy.

The quhilk day, forsamekill as thair is diverse assurit personis be our auld ynemyis of Ingland, and sittis under assurance duelland within the boundis of the Merse and uthair partis adiacent to the samyn, quhilk upoun this last Monunday at evin, the last day of Merche last bipast, that hes furnist carriage and carriage horse to our saidis auld inemyis for the furnessing of the fort of Lauder, and our saidis auld ynemyis being on the samyn, takand art and part with thaim assistand and favorand thaim in the distruction of the cuntre; Thairfor it is divisit and ordanit, that Alexander Lord Hume pas, serche and seik the saidis personis, furnesseris of the saidis carriage and carriage horse to our saidis auld ynemyis and fort forsaid, and tak and apprehend sex of the principallis of thaim, and puniss thaim to the deid for thair attemptattis, with power to the said Lord to justify the saidis personis, court and courtis of justiciare to hald to that effect, and will and grantis that this present act and ordinance be of als greit strenth, faith, force, and effect, as and the samyn Lord had bene gevin in forme of commissioun under the quhit walx, to the effect abone writtin, for the causis forsaidis.

Apud Edinburgh, xij^{o} Aprilis, anno, etc. v^{c} quinquagesimo.

The quhilk day, it is thocht expedient, divisit, and ordanit be the Quenis Grace, my Lord Governour and Lordis of Secreit Counsale, that the Franchmen now being presentlie in the fort of Inneresk besyd Mussilburgh, and the capitanis thairof, sall deliver the samyn to ane venerabill fader in God, George Abbot of Dunfermling, and Schir George Douglas of Pettindreicht, Knycht, quha hes presentlie bund and oblist thame to keip and uphald the said fort in siclik estait as the samyn is presentlie in to at the ressait thairof; and quhat munitioun or uthair stufe that is in the said fort or salbe deliverit to thame or left to thame in the samyn, the saidis personis bindis and oblissis thame to rander all sik munitioun and stuf agane as gude and sufficient and in sik lik estait as the ressave the samyn. And in caise it sal happin ony army to pretend to invaid and persew the said fort swa that the saidis personis may nocht keip the samyn in maner forsaid, than and in that caise, the saidis personis bindis and oblissis thame to mak adverteisment thairof to my Lord Governour and Counsele upoun the premunitioun of xiiij dais, to the effect that his Grace and Counsele may provid for resistence and defens in dew tyme. And for the sure keping of the

said fort, and fulfilling of all and sindry the poyntes abonewrittin, the saidis personis oblissis thame theirto under the pane of v^{m} ℔.

Apud Edinburgh, decimo nono Aprilis, anno domini millesimo, quingentesimo quinquagesimo.

Presentibus, Regina, et Gubernatore. Sederunt. Comes de Huntlie Cancellarius. Johannes Archiepiscopus Sancti Andree. Comites—Ergile, Merschell, Glencarne, Cassillis. Abbates—Cowper
Domini—Ruthven Magistri—Erskin, Simple.
Dominus Georgeus Douglas.

The quhilk day, forsamekle as thare is ane licence laitlie gevin to certain merchandis of Ingland to sell certane merchand gudis within the burgh of Edinburgh, quharethrow the Provost, Ballies, Counsel, and Communitie of the said burgh allegis thame to be gretlie hurt and dampnagit in thare privelegis gevin to thame of auld, and hes hevilie complenit thairupon; quhilk complant maid be the saidis Provost and Ballies in that behalff, my Lord Governour and Counsel thinkis verray just, and for remedy thairof in tyme to cum, ordanis that na licence sall be gevin to any strangear of quhatsumevir degre he be off, to sell ony merchand gudis within the said burgh, bot that all faculteis and privelegis grantit to the said burgh be observit and kepit to thame in all tyme to cum, provyding always that the merchandis of Ingland at this tyme refuse na money havand course in this realme, nor have na gold furth of the samyn, conform to the actis maid thairupoun of befor, and under the panis contenit in the samyn.

Proclamatio Pacis.

Apud Edinburgh, xx^{o} die mensis Aprilis, anno, etc. v^{c} quinquagesimo.

We do you to witt, forsamekle as—in the moist honourable and perpetuale pece takyn betuix the maist Cristine King off France on that ane part, and the King of Ingland on that uthair part, for thame, thair aris, and successouris for evir—oure Soverane Lady, hir realme, dominionis, rowmes, and possessionis, baith be sey and land, liegis and subjectis of the samin, ar comprehendit for hir, hir Hienes aris and successouris perpetualie, lik as in the contractis and tretyis of peax past thairupon and comprehensioun forsaid is at mare lenth contenit: Quharefor we command and charge in our Soverane Ladyis name and my Lord Governouris, all and sindrie our Soverane Ladyis liegis of quhatsumevir estait, dignite, ordour, preeminence, or conditioun that evir thai be off, that nane of thame tak upon hand to violett or brek the said pece in ony sort, or to do ony hurt, harme, molestatioun, inquietatioun, or perturbatioun to ony of the liegis of the realme of Ingland, owthair be sey or land, nycht or day; bot to observe and kepe the said peax and comprehensioun forsaid clerelie and enterelie in all punctis, or to pretend to mak ony offence to ony Inglisman quhilk may rynde to the

violatioun of the said peax. And siclik we command and charge all and sindrie Bordouraris and all uthairis our Soverane Ladyis liegis, that nane of thame tak upoun hand to ryde in Ingland or to mak ony perturbatioun thairintill, nycht or day, fra thyne furth, under the pane of tresoun.

Apud Edinburgh, vigesimo secundo Aprilis, anno, etc. v^{c} quinquagesimo.

Presentibus, Regina, et Gubernatore. Sederunt. Comes de Huntlie Cancellarius. Johannes Archiepiscopus Sancti Andree. Comites—Ergile, Merschell, Glencarne, Cassillis. Abbates—Dunfermling, Cowper. Domini—Ruthven
Magistri—Erskin, Simple. Dominus Georgeus Douglas.

Ansueris to the maist Cristine King of Francis memoriale ressavit fra Monsieur de Funnell, gevin to Thomas Maister of Erskin, ambassadour for the Quenis Grace of Scotland, and my Lord Governour thairof, to be schawine to his Hienes upoun thare behalff.

In the first, the Quenis Grace, my Lord Governour and Counsel, understandand be report of the said Monsieur de Funnell and memoriale forsaid, how that the said maist Cristine King efter that his Hienes had maid sik invasion upoun our auld inymyis off Ingland within the cuntre off Bullennois, and thairthrow constrenit thame to retere the maist part of thair army, quhilkis thai had lyand upon this realme furth of the samyn, and transport thame towart the said cuntre of Boullennois, and his Hienes, perseverand in sik scharp persute of the saidis Inglismen mare in respect of this realm of Scotland nor of ony uthair consideratioun, brocht to sik necessite that it behufit thame to seke peax of his Hienes diverse tymes and be sindry personis, and that his Hienes havand consideratioun of the grete scathis, oppressiounis, and dampnagis quhilkis this realme hes sufferit be so lang weris, and beand desyrous to putt the samyn at rest and quietnes, accordit to trete with the said Inglismen apone ane peax, to the quhilk efter lang resonyng wes condiscendit be his Hienes commissaris, comprehendand our Soverane Lady, and this hir realme in the samyn. The quhilk, the Quenis Grace, my Lord Governour and Counsel of this realme, acceptis maist thankfully as ane thing done be his Majestie for the wele and releiff of this realme, and tranquillite to the subjectis thairof, and haldis thame thairthrow addettit to his Hienes mare than thai ar hable presentlie to acquite, and namelie in sa fer as it hes nocht onlie plesit his Hienes to have refusit the grete offeris of Ingland maid to him anent the quyting of thair pensioun randaring of Boulongue, of all that tha withheld beyond the sey for the geving of our Soverane to thame, bot alswa by all the infinite cost maid be his Hienes for the defens of the libertie of this realme of befor now to deburse swa large soumes for pece and rest to us as to his awine. And thairfor, that the said Maister of Erskin, upon thare behalff, giff maist humyl thankis thairof to his Majestie,

quhilk hes preferrit the rest and eise of this realme to his awine particular proffett, as he that is the sure and onlie defendar and releiff, under God, of all this realme, and hes deliverit the samyn furth of the thraldome in the quhilk it wes for the tyme, and saifit it fra the apperand perpetuale subjectioun it wes hable to have fallin in, giff his Hienes had nocht tane the hale byrding of the defense thairof upon him, and finalie nocht brocht the samyn to the auld liberte and fredom unto his Hienes infynite honour, and our unestimable wele.

And according to the desyre of the said memoriale, the Quenis grace and my Lord Governour sendis thare wele belovit Thomas Maister of Erskine, berar of thir presentis, thair ambassadour to the King of Ingland, with commissioun under our Soverane Ladyis grete sele for to ratifie, afferme, and appreve in our Soverane Ladyis name, the comprehensioun of Hir Grace and hir realme of Scotland maid in the said tretie, and all the punctis and articles contenit thairintill in sa fer as it concernis or may concerne Hir Grace or hir realme forsaid.

Item, conforme to the Kingis article, my Lord Governour with avise of the Counsel, hes instantlie dischargit all weir schippis to depart or pas furth of the realme of Scotland in ony maner of werefare, and siclik hes send and gevin speciale charge to the Maister of Erskin, that in cais he fyndis ony were schippis of Scotland in France, to putt inhibitioun to the capitanis, maisteris, and awnaris of the samin, that nane of thame tak upon hand to mak were upoun the Empriouris subjectis, unto the tyme the King be advertist, and that he send his mynd unto us thairupon and the samin charge to be usit at the Kingis plesour.[1]

[1] For such scanty materials as are available for information on the diplomatic relations of Scotland with England and France for the five years before the treaty here referred to, reference may be made to "Papiers d'état, pièces et documents inédits ou peu connus, relatifs à L'Histoire de L'Ecosse au xvi^e^ siècle," etc., par A. Teulet, 4to, vol. i. 143 *et seq.;* "Calendar of State Papers relating to Scotland," edited by Markham John Thorpe, i. 61 *et seq.;* and "Calendar of State Papers, Foreign Series, of the Reign of Edward VI.," edited by William B. Turnbull.

See "Traité entre Henri II., Roi de France, et Edouard VI., Roi d'Angleterre, pour la restitution de Boulogne à la France, fait entre Boulogne et la Rivière de Lyene, le 24 Mars 1549 (50);" Du Mont Corps diplomatique, iv. sup. 1. See also Rymer's Fœdera, 24th March 1550:—"Item, conventum concordatum atque conclusum est, quod arces seu castra vulgo nuncupata de Dunglas et Lauder, in Regno Scotiæ, constructa per dictum serenissimum regem Angliæ, restituerentur Reginæ Scotiæ, aut ab ea deputandis, cum suis fortalitiis et munitionionibus, tormentis et machinis bellicis in dictis castris, ad tuitionem et defensionem eorundem existentibus, exceptis tamen illis machinis, quæ a loco nominato Hadington illuc fuerunt advectæ, idque quam citissime commode fieri poterit, et antequam, etc. . . . Quibus castris et locis de Dunglas et Lauder restitutis, licebit Anglis, in dictis locis tunc existentibus, illinc, libere tute secure, cum suis sarcinis abire, et quo voluerint secedere, cumque omnibus machinis bellicis, a dicto loco de Hadingteyn in præfatas arces de Dunglas et Lander invectis.

"Item, etc., si dictæ arces seu castra de Dunglas et Lauder, desierint esse in manu et potestate dicti serenissimi Regis Angliæ, nihilominus tamen liber erit ab ea obligatione, qua illa, ut supra dictum est, retituere spoponderat, et se obstrinxerat, pro quibus et veluti recompensæ loco, idem serenissimus Rex Angliæ, tenebitur, oppida et castra de Roxborough et Aymouth, diruere et solo equare, inter quadraginta dies, a die datæ præsentis tractatus; nec licebit, dictis serenissimo Angliæ Regi, Christianis-

Item, as to the ansuer towart the Cardinale of Carpy, the Quenis Grace and my Lord Governour hes ellis writtin thairupoun to the King, quharewith thai think his Majestie sall be satisfyt lik as the Maister of Erskin will declare.

Item, tharefter the said Maister of Erskin sall report to the King, how rejosit the Quenis Grace and my Lord Governour wer of the novellis of our Soverane Ladyis welfare, and to here that the Kingis hienes wes swa wele contentit with hir Grace, and that schö wes swa hable to encrese in vertew, and that the Kingis majeste takis sik consolatioun seying the begynnyng of hir upbringing to have bene sua gude, that he hopis sum day to see his sone the husband of ane off the maist vertuous princes that man can desyre, besekand God of his infynite gudnes, that his Hienes may see nocht allanerle that thing that his noble hart desyris, bot alsua that oure Soverane Lady be efter this swa endewit with the graces of God, that schö may be hir birth mak his Hienes to be callit the gudschir of ane of the maist victorious princes in the warld and Kyng to ryng lang prosperouslie abufe baith the realmes.

simo Regi, Reginæque Scotiæ, dicta loca de Roxborough et Aymouth, restaurare aut reædificare. Et ulterius, si dictus serenissimus Rex Anglice reddat atque restituat prædictas Arces de Dunglas et Lauder, prout supra conventum est, tum oppida et castra de Roxborough et Aymouth, diruere et solo æquare tenebitur, si modo, dicta Regina Scotiæ illud quidem voluerit et fecerit in dictis arcibus et castris de Dunglas et Lauder quod si accederit, non licebit dictis serenissimo Angliæ Regi, Christianissimoque Reg, Reginæve Scotiæ, eorum herædibus et successoribus posthac restaureare et reædificare dicta oppida et castra Roxburgh et Aymouth.

"Item, conventum concordatum et conclusum est, quod dicta Regina Regnumque Scotiæ, in hoc tractatu pacis veluti confederati dicti christianissimi Regis comprehenduntur, quos dictus Rex Angliæ invadere et bello lacessere non poterit, nisi nova et justa occasione ab ipsis Scotis orta; dictaque Regina Scotiæ certiorem facere tenebitur dictum serenissimum Regem Angliæ, infra quadraginta dies a data præsentis tractatus sub magno sigillo Scotiæ, quod præsentem comprehensionem, omniaque in hoc tractatu conventa, quæ ad se suumque Regnum pertinent, rata firmaque habebit, quæ omnia et singula in præsenti tractatu conventa et conclusa sunt."

This treaty is evidently inaccurately rendered, both in Dumont's collection and the Fœdera (edition of Holmes, 1741, vi. 182), but the one helps in some measure to the correction of the other. In Dumont, Dunglas is called "Duvglas," Lauder "Landre," and Hadington "Geddingteyn." In the Fœdera Dunglas is called Douglas.

So little is known about the fortresses built by the English at Dunglas and Lauder, that the following brief allusion to them, in a letter by the Queen-Mother, Mary of Lorraine, to her brothers, detailing the efforts of the French forces to drive the English from the Border, is of some value. They found the passage of the Tweed, and other interruptions, "Voiant toutes ces incommodités, nous fûmes tous d'opinion, de ne passer outre, et envoyâmes voir, si nous pourrions interprendre quelque chose sur le fort de Lauder ou sur celui de Douglas. Là ont été Monsieur de Pont et Quainville Marin, les quels ont rapporté que c'etait chose difficile là, ou il fallait de grand frais et que le temps n'était pas propice. Ce que voiant, nous fîmes retirer nos gens. Un parti du motif pour lequel nous avions levé notre armée était pour arrêter les troupes étrangères de l'ennemi, qui, avec grand nombre d'Anglais etaient sur leur départ pour aller secourir Boulogne que l'on dite être en grande nécessité."—Teulet, Papiers d'état, etc., relatifs à l'histoire de l'Ecosse, i. 700-1.

In the treaty of five years earlier, by Henry VIII. with France, there was an attempt for a comprehension of Scotland. See "Articles to be sent to the King of France and to his ambassatours being in England" (Act. Parl. Scot., ii. 473). King Henry's policy on the matter is stated thus (Fœdera, 26th December 1545):—

"Touching the comprehension of the Scots, our pleasure is, that you shall travell as earnestly as ye may to have this treux concluded without any comprehension of them, whom we would most gladly, and think it necessary, to be left out."

Item, the occasioun of the sending of the herald to the King, quha wes directit to the Empriour be this motive, Monsieur D'osell,[1] the Kingis ambassadour here, schew the Quenis Grace, my Lord Governour and the Counsel, that the King mervellit that we continewit the weris with the Empriour, havand actualle were with Ingland and micht have had peax of him, desyrand us to sek ane honorable peax of the Empriour, be the Kingis avise and myance, rather than to procure ferther were be ony oure occasioun; upone the quhilk, we direct the said herald to the King with speciale writingis to our ambassadour, giff he had bene present, desyrand his Majestie to send to the Empriour for ane conduct to certane ambassadouris of Scotland to cum and trete upoun peax with the Empriour, quhilk ambassadouris first suld have cumin to the King for his avise and informatioun, and thairefter to have departit to the Empriour for the said peax and the Kingis ambassadouris with thame to that effect. The absence of our ambassadour wes the cause that the King wes nocht so amplie informit of our desyris as our directionis wes unto his Majestie.

Item, it is to be desyrit of the King that he will send his ambassadouris towart the Empriour to procure ane peax to the Quenis Grace oure Soverane Lady, hir realme and subjectis, in semblable maner as hes bene accustumat of befor, always referring the tyme to his Majesteis discretion, with abolution of all thingis past becaus ane honorable peax wes takyn be the King, quham God assolze, and the Empriour for ane hundreth yeris, quhilk pece without occasioun maid be us wes violat and brokyn be the Empriour and his subjectis, in takyn and withhaldyn of ane grete nowmer of the schippis of Scotland at the desyre of Ingland, to the grete hurt and dampnages of the liegis of this realme, like as our ambassadouris the bischop of Ross,[2] and the Maister of Erskin, or athair of thame, can declare at lenth, togidder with the maner of the tretie last takyn, quhilk hes bene alswa to the grete hurt and dampnage of baith the Empriouris subjectis and ouris.

Item, becaus that the Kingis Majestie hes ellis writtin to my Lord Cardinale of Guise, lyand presentlie in the Court of Rome, to mak instance to the Papis halynes for the Legacie off Scotland to be grantit to my lord the Archbischop of Sanctandrois, brother to my Lord Governour, and to do his utir possibilitie for obtenying of the samyn, Tharefor to thank his Hienes and besek him to continew in the samyn, unto the tyme it be brocht to sik ane perfectioun as that the said Legacie be grantit in maist ample and large maner, Sua that all benefices within the realme of Scotland, exceptand bischoprikis alanerle, be providit within the realme; quhilk thing being done be the Kingis majestie, sall purches be his Hienes ane grete wele, profeitt, and eise in respect of the tyme, and in bering of the gret chargis of the weris and sindry uthair ways, togidder with the favour of the subjecttis in sa fer as it is of sa grete avantage to the samyn, and to informe his

[1] Henry Cleutin D'Oysel Seignour de Villeparisis. [2] Henry Sinclair.

Hienes how gret soumes past furth and dailie passis furth of this pure realme to the Court of Rome, and how costlie ane thing it is to mak fynance evin through all partis quhill tha cum to Rome, be resoun of the distance of the places and perellous passagis, baith be sey and land, through sindry princis jurisdictioun ; and how that this realme is swa hereit with lang weris, that it will nocht be hable to recover the scaith it hes sufferit in mony yeris, in caise that the substance thairof be transportit be the occasioun forsaid to the Court of Rome, in sik aboundance as it hes bene thir yeris bipast ; and that the Kingis hienes be informit that this Legacie be nocht alanerlie desyrit for the private wele of ony ane persone, bot for the commoun wele of the hale inhabitantis of this realme.

Item, becaus the Kingis Majestie hes desyrit to knaw off the Quenis Grace, my Lord Governour and Counsal here, quhat charge is necessar to him to hald in this realme and als litle as is neidfull, it is thocht expedient be thame for sparing of the Kingis expense in tyme of pece, giff it plese and salbe thocht expedient to his Hienes, that the fort off Luffnas be kepit be the Lard off Wauchton in tyme of pece upon cautioun, and the fort of Inueresk to be kepit be the Abbot of Dunfermling upon sic lik cautioun, and the fortis of Sanct Colmys Inche, Inchegarvie, the fort of Brochty, and Montrose, be cassin doun becaus tha serve of na thing in tyme of pece, and the last four fortis ar nocht necessar in tyme of were.

Item, that the King putt sik garisonis in Dunbar, Blacknes, Castell of Bruchty, and Inchekeith, as his Majestie or his lieutennent thinkis nedfull for preservatioun of the samyn in tyme of pece, and that tha be fortifiit and specialie the fortis of Inchekeith and Castel of Bruchty, becaus tha ar the entres of twa of our Soveranis maist speciale revaris ; end that the Lord Hume kepe the Castel of Hume, and the King to support him as he plesis, becaus it is our chargeand to the said lord to kepe the samyn as ane hous of were so nere the Bordouris.

Item, it is thocht expedient be the Quenis Grace, my Lord Governour and Counsel, that the fortis of Lauder, Dunglas, Roxburgh, and Aymouth, be all cassin doun for sic motivis as the said Maister of Erskin can schaw.

Item, gif it be the Kingis plesour to tak away his army here, it were neidfull that thare war ane thousand futemen left in this realme by thame that kepis the castellis and fortis, quhill the finale end and perfectioun of the peax, and douncasting of the fortis ; and that sure knawledge may be had of the pece betuix us and the Empriour ; and the peax with the effectis thairof beand finalie performit, sik ordour sall be takyn for executioun of justice and ordouring of the cuntre be the avise of the Quenis Grace, as the Lieutennent and ambassadour sall knaw, quharewith the King sall have caus to be contentit, and sall be advertist thairof in dew tyme.

Item, anent the prisoneris, the Quenis Grace, my Lord Governour and Counsel, hes sene the ansuer cum fra the Counsel off Ingland, and articlis subscrivit be the commissaris, tretaris of the pece betuix France and Ingland, to Monsieur de Funnell, with the quhilkis thai ar contentit for the part of Scotland, and to deliver all the presoneris of Ingland now being in Scotland, frelie, alswele thame that hes aggreit upoun thair ranson and gevin bandis or plegis thairfor as uthairis, and to ressave all presoneris and plegis being in Ingland semblablie, and to desyre day and place to be appunctit thairto.

Finalie, to informe the Kingis Majestie, that the Bischoprik of Dunkeld is now vacand be the promotioun and translatioun of my Lord Archbischop of Sanctandrois fra the said sete of Dunkeld, quha broukit the samyn peceable but ony interruptioun the space of thre yeris and mare, and now my Lord Governour hes writtin diverse tymes to the Papis halynes, quhilk last decessit, for the promotioun of Donald Abbot of Cowper, uncle to the Erle of Ergile to the said bischoprik, nocht the les the Papis halynes as yit postponis the said promotioun, be the inoportune solistatioun and wrang informatioun of ane Maister Robert Crechtoun, quha on his maner intendis to purches the samyn, but ony suplicatioun or licence of my Lord Governour, or ony havand autorite for the time, to the gret hurt of the Quenis Grace privelege, and swa wer quhilk is and ay hes bene in use, that na promotioun of prelacy pas in Rome but the princis suplicatioun, Tharefor desyring his Grace to write rycht effectuouslie to the Papis halynes, College of Cardinale, and his Graces ambassadour standing in Rome, for preservatioun of the Quenis Grace privelege, and promotioun of the said Abbot conforme to the Quenis Grace suplicatiouns and writingis send be my Lord Governour in hir Graces name.

And ferther, becaus we desyre presentlie the maist Cristine King to trete ane peax betuix the Empriour and us, be his ambassadour presentlie being with the Empriour, ye sall schaw the King thir instructionis and articles following to be send to his Hienes Ambassadour with the Empriour, quhareby his ambassadour forsaid may understand and knaw perfitelie the maner of the pece contractit of auld betuix the Empriour and oure Soverane, quham God assolye, and the occasioun of the brek thairof, and tharethrow to be the mare resolut to ansuer to sik questionis as may be demandit of him be the Empriour and his counsel.

In the first, to inform the said maist Cristine King, how it is understandin to the Quenis Grace, my Lord Governour and Counsel of Scotland, be diverse informationis and writingis send fra sindrie gret men, subjectis to the Empriour in Flandris, that honorabill peax may eselie be tretit betuix the Emperiour his subjectis and us; thairfor to desyre the said maist Cristin King to send his ambaxadour with yow to the Imperour to procure the

samyn conforme to the contract of peax last maid betuix his Majestie and our soverane the Kingis Grace that last deceissit.

And gif the said maist Cristin King thinkis this gude to be done, ye sall, with his avise, pas to the Emperouris Majestie and use thir instructionis following:

In the first, to reduce to his rememberance the contract of peax betuix his Majestie for himselff, his realmes, dominionis, and subjectis, and the Kingis Grace our soverane that last deceissit, his realme, and subjectis, for the space of ane hundreth and ane yeris.

Item, to declair to his Majestie how the samyn peax wes brokin upoun us be his subjectis of Flanderis, but ony occasioun maid be us, and without denunciatioun of weir, quhen our schippis come in Flanderis as to our freyndis for traffyque of merchandice; efter that thai had bene weill ressavit, freyndlie treatit, interchangit thair merchandice, and reddy to depart, the haill fleit of xiiij riche schippis, ladyn with Flanderis wair, wer takin, haldin, and disponit, and the merchandis thairof presonit as innemeyis be the Emperouris subjectis, in the portis, hevynnis, and townis of the Veir, Myddilburgh, and uthairis of the laich partis of Flanderis.

Item, to schaw his Majestie how we incontinent efter the taking of the saidis schippis, send heraldis with lettres supplicatiouris to him and to the Quene of Ungary, Regent of Flanderis, for redress thairof, and culd get nane bot than ane weir oppynlie proclamyt and denuncit in Flanderis, in the Empreouris name upoun the subjectis of this realme.

Item, to declair how efter the last peax contractit betuix his Majestie and the maist Cristin King of France, we send ane ambaxadour to his Majestie and his derrest syster the Regent of Flanderis, desyrand as confiderattis with the said maist Cristin King to have bene comprehendit in the said peax, and to have acceptit the samyn; quhilk wes in likwyse refusit, for sik motivis as than movit his Majestie; nocht the les for the quiet of baith the realmes it wes convenit that certane Conductis suld be grantit, of equale nowmer be his Majestie to the subjectis of this realme, and our Soverane Lady to his.

Item, to declair that albeit thir Conductis wes than thocht equivilent to ane Peax, yit the wickittnes and perversit myndis of pirattis on aither syd, had thairthrow takin occasioun to harme baith the cuntreis, and subjectis thairof, swa that the samin wes rather cause and occasioun of hartrent and trubill nor ony quiett to the cuntreis; and diverse inconvenientis followit thairupoun, quhairof the verite may nocht be tryit nor redres maid, because that pyrattis on ather syd apprehendand schippis

with Conductis, as is suspect, distroyis and puttis away the samyn, howbeit the princis and counsalis myndis on athair syd be weill willit thairto.

Item, to desyre thairfor his Majestie, that he will grant of new ane honourable peax to our Soverane Lady, hir realme and subjectis, for sa mony yeris as salbe thocht convenient, conforme to the auld, sen the occasioun of this weir movit nocht as we understand, of na hartrent nor evill mynd that he bure towart this realme, bot allanerlie of the occasioun and persuasioun of our auld ynemeis.

Item, to declair his Majestie the greit trubill, cruelte, and invasionis, daylie maid upoun our Soverane Lady and hir liegis be the tyranny of our saidis auld ynemeis, in hir Graces minorite, and greit apperance of blud schedding thairthrow in tyme cuming; and thairfor desyre and requir his Majestie, that he first of his gudness will endevour him selff to procur ane honorabill peax of the King of Ingland, to our Soverane Lady, hir realme and liegis, gif it may be had with the auld liberteis; or uthairwayis, becaus he, of his imperiall dewite, is oblist to defend pupillis, that he will grant support of men, munitioun, and sic uthair reasonabill help as he may spair.

Apud Edinbrucht, xix Aprilis, anno, etc. v^{c} quinquagesimo.

Presentibus, Regina, et Gubernatore. Sederunt. Comes Huntlie Cancellarius. Archiepiscopus Sancti Andree. Comites—Argile, Merschell, Glencarne, Cassillis. Abbates—Cowper
Dominus Ruthven. Magistri—Erskin, Semple. Georgeus Douglas.

The quhilk day, forsamekle as thair is ane licence laitlie gevin to certane merchandis of Ingland to sell certane merchand gudis within the burgh of Edinburgh, quhairupoun the Provost, Ballies, Counsale, and Communitie of the burgh of Edinburgh allegis thai to be greitlie hurt and dampnagit in thair privelegis gevin to thaim of auld, and hes hevelie complenit thairupoun; quhilk complaynt maid be the saidis Provest and Ballies in that behalff, my Lord Governour and Counsell thinkis veray just, and for rameid thairof in tyme to cum, ordanis that na licens salbe gevin to ony strangear of quhatsumevir degre he be of, to sell ony merchand gudis within the said burgh, bot all thair faculteis and privelegis be observit and kepit to thaim in all tymes to cum. Providing alwayis, that the saidis merchandis of Ingland at this time, refuse na money haivand course in this realme, nor have na gold furth of the samyn, conforme to the actis maid thairupon of befoir.

Apud Edinburgh, xix Aprilis, anno domini millesimo quingentesimo quinquagesimo.

Presente, Domino Gubernatore. Sederunt. Comes de Huntlie Cancellarius. Archiepiscopus Sancti Andree. Comites—Glencarne, Erlgale, Cassillis, Merschell. Abbates—Cowper
Domini—Ruthuen

The quhilk day, it is divisit and ordanit be the Quenis Grace, my Lord Governour, with avise of the Lordis of Secret Counsale, becaus of the greit derth risin in this realme of al maner of stufe, alsweill horse meit as mennis meit, and the exhorbitant prices usit thairupoun and takin thairfor, that the abbotis of Dunfermling, Cowper, the Lord Ruthven, Maister of Semple, the Comptrollar, Maister Thomas Merjoribankis of Ratho, Clerk of Register, and Robert Carnegy of Kynnard, sall tak foure honest men of the burgh of Edinburgh, sik as thai sall think maist gud and expedient, and mak prices of all maner of wittuallis and stufe, alsweill mennis meit as horse meit, and quhat ordour salbe had to caus the cuntre bring in the samyn for the furnessing of our Soverane Ladys liegis, and to schaw and oppin the samin agane to my Lord Governour and Counsel.

Item, because of the Pece takin betuix the maist Cristin King of France on that ane part, and the King of Ingland on that uthair part, quhairin our Soverane Lady, hir realme and subjectis, ar comprehendit; and for preservatioun thairof be the Bordouris of this realm foranentis Ingland; it is divisit and ordanit that Alexander Lord Hume sall accept the office of Wardanry upoun the Eist Bordouris, and Walter Ker of Cesfurd, Wardane of the Middill Merchis.

Item, the quhilk day, forsamekill as the Quenis Grace, my Lord Governour, and Lordis of Secret Counsale hevand respect to the gret and exhorbitant derth rissin in this realme and daylie cressand of witualis and uthir stuif for sustentatioun of mankynd, and understandand that the occasioun thairof is becaus of superfluis chear usit commonlie in the realme, alswele amangis small as gret men, to the gret hurt of the commone wele of this realme and dampnage of the persoun usar thairof and hele of the samin, makand siclik personis nocht sa hable in thair persoun to exerce all gud and honest actis as neid wair. Thairfore, it is divisit and ordanit for remead heirof and stanching of the said derth, exhorbitant prices foirsaidis, that nane Archbischopis, Bischoppis, nor Erle have ony ma dischis nor viij dischis for thair meiss, na Lord, Abbot, Prioris, Dene, have bot vi dischis, nor na Baroun nor Frehaldare to have bot four dischis, and na Burgessis nor uthair substantious men, spirituale nor temporale, have bot thre dischis, and bot ane kynd of meit in every disch; and for observing and keping of this act and ordinance forsaid, it is divisit and ordanit that what Archbischop, Bischop, or Erle that sall happin to be fundin brakand this act, als oft as he dois the samin, he salbe haldin to content and pay to my Lord Governour and actorite at every time he failyeis, ij^{c} li., and every Lord, Abbot, Prior, or Dene, failyeis at every tyme

sall pay ij^{c} merkis, and every Barroun or Frehaldur that failyeis sall pay for every tyme j^{c}ℓ., and every Burgis or uthair substantious men, spirituall and temporale, sall pay for every failyei j^{o} markis; and gif ony small persoun or personis wale pretend to brak this present act to do in the contrair thairof, he salbe takyn and punist in his persoun and gudis; and quhatsumevir persoun or personis of quhat estet, degre, conditioun, that ever he be of that failleyeis heirintill, sall be reput and haldin as men gevin to thair voluptuosite and no for the wele of thair person and common wele of this realme. Providing aluayis that this present act and ordinance strik nocht upoun yule, pasche, patron dayis, mariagis, nor bankettis, to be maid to strangeouris of uthair realmes, be Archbischopis, Bischopis, Erlis, Lordis, Abbottis, Priouris, Dennis, Barronis, Provestis, and Bailleis of borrovis, ilk and siclik; providing that na Scottismen mak bankettis to ony uthair Scottis man bot in maner forsaid; and that every Scheref of the scheir and every Provest and Bailleis of borrowis, ilk ane within his awin boundis, tak inquisitioun of the brakaris of this act, the namis of this act, and deliverit the samin to my Lord Thesaurare; and ordanis the brekar of this act to be callit to particular deittis or justice airis as sall be thocht best and maist expedient be my Lord Governour and Counsale; and howbeit ony man of gretar estate nor the burgis to cum in the burgh to ony lugeing, it sall nocht be lesum to mak ony ma dischis bot efferand to the estate of the mester awin of the lugeing, without that the lord, barron, strangar mak his awin provisioun and table alvayis within the ordinance forsaid.[1]

Item, inlikwise hevand respect to the gret and exhorbitant derth of the wyld mete of this realme, and for putting of ordour heirto and remaid heirof, it is divisit and ordanit that all wyld mete be sauld of the preces following. That is to say, in primis, cran and swan to be sauld every ane of thame for vs. Item, the wyld guyse of the gret bynd, ijs. Item, the claik, quynk, and rutt for xviijd. Item, the pertrik, viijd. Item, the pluver and small murfoul, vd. Item, the blak cok, and the gray hen, vjd. Item the powttis the dosoen, xijd. Item, the quhawip, vjd. Item, the cunying, xijd. Item, the leprioun, ijd. Item, wyd cokis, iiijd. Item, ane desoun of laverokis and uthair small bredis, ilk desoun, iiijd. Item, snype, quelye every ane of thame, ijd.—under the pane of baith to the sellair and byair of escheting of all thair gudis, takking and punissing of thair personis, at my Lord Governour will. Item, it is divisit and ordenit that nane haron, duke, draik or ony fule, ar of revar be slane in ony maner of sort bot be halkis alanerly, under the pane of confiscatioun of all thair gudis and punissing of thair personis at my Lord Governour will.[2]

Item, it is statuit and ordanit that nane of oure Soverane Ladyis legeis tak upoun hand to schut with halff haige or culvering or pistolate, at dere, ra, nor vyld foulis, for manis mete, under the pane forsaid; and als ordanis the Schereff of every scheir and his Deputtis to tak inquisitioun of the brekaris

[1] This act was ratified in Parliament, 1st Feb. 1551; II. c. 22, p. 488.
[2] This act was also ratified in Parliament, II. 484.

of the actis forsaid, and roll thair namis and deliver the samin to the Thesaurar, to the effect that thai may be callit to justice airis or perticular diettis, at the will and plesour of my Lord Governour, and punist in maner forsaid.[1]

Apud Edinburgh, xx Aprilis, anno, etc. l°.

Presente, Domino Gubernatore. Sederunt. Comes de Huntlie Cancellarius. Archiepiscopus Sancti Andree. Comites—Argile, Merschell, Glencarne, Cassillis. Abbates—Dunfermling, Cowper. Domini—Ruthven Magistri—Simple, Erskin. Dominus Georgius Douglas.

The quhilk day, forsamekill as my Lord Governour and Lordis of Secreit Counsale, ar advertesit that the house of Mowswald is presentlie in the handis of Robert Lord Maxuell, nochtwithstanding it is perfitlie understand to thaim that James Douglas of Drumlanrig, Knycht, is donatour in and to the ward and mariage of Mouswald, and hes thairthrow rycht to the samyn, Thairfor it is divisit and ordanit that the said house and place of Moswald salbe deliverit to the said Schir James Douglas, donatour forsaid, to be kepit be him during the tyme of the said ward, and decernis and ordanis this present act and ordinance to be gud and sufficient discharge to the said Lord Maxwell tuiching the keping and delivering of the said house, siclik as the said Lord had speciale command and charge thairupoun.

Apud Edinburgh, xxiiij° Aprilis, anno, etc. v^c^ quinquagesimo.

The quhilk day, forsamekill as it is understand to my Lord Governour and Lordis of Secreit Counsale, that thair is diverse and sindry schippis, strangearis, that hes laitlie arrivit with thair gudis and merchandice at diverse portis of this realme and daylie dois, and efter the depesche of thair merchandice and gudis, incontrair the tennour of the actis of parliament maid thairupoun incurrand the panis contenit in the samyn in greit defraud to our Soverane Lady of hir custumes and hurt to the commoun; and for rameid heirof it is divisit and ordanit be my Lord Governour with avise of the Lordis of Secreit Counsale, that nane strangear tak upoun hand to have ony gold nor silver, ressavit be thaim for thair merchandice and gudis quhatsumever furth of the realme, bot to wair the samyn within the said realme upoun waris and merchand gudis, except it be the thrid part of the said gold and silver at the maist, under the panis contenit in the saidis actis. And to the effect that the brekaris of the said act may be tryit and punischment follow heirupon, it is divisit and ordanit that my Lord Thesaurar mak deputis sercherouris at every port and hevin of this realme, to serche all strangearis schippis and gudis, with power to the saidis sercheouris and every of thame, to enter in all schippis, and to see that na gold nor silver be had furth of the realme bot as said is, and to roll the names of the

[1] Ratified in Parliament, II. c. 3, p. 483.

brekaris of the said act and deliver thame to the said Thesaurar to be punist according to the samyn; and that lettres be direct heirupoun to mak publicatioun heirof at all places and portis neidfull in dew form as efferis.

Apud Edinburgh, vigesimo quinto mensis Aprilis, anno domini millesimo quingentesimo quinquagesimo.

Presente, Domino Gubernatore. Sederunt. Comites—Huntlie Cancellarius, Eergile, Glencarne, Merschell, Cassillis. Abbates—Dunfermling, Cowper. Dominus Georgius Douglas. Magister Sempill. Clericus Registri. Clericus Justiciarie. Robertus Carnegy de Kynnard.

Anent the actioun and caus persewit be Robert Kirktoun and Maister Dauid Quhitlaw aganis ane Francheman callit Capitane Skenestoun, tuiching the taking of Schir Robert Bowis, Inglisman, prisoneir, clamit be the saidis Robert and Maister David on that ane part, as thair just and lauchtfull presoneir, fra the said Capitane Skenestoun, quha allegit that the said Schir Robert wes his just and lauchfull presoneir on that uther part; and efter lang resoning betuix the saidis partiis, it wes allegit be the saidis Robert and Maister David that becaus the said Capitane Skenestoun, as thai allegit, reft the said Schir Robert fra thaim efter that thai had takin him, and that the said Capitane had him in his keping and in his handis, and be the lawis of the realme of Scotland thai aucht and suld have thair allegeance to thair preif; my Lord Governour and Lordis of Secreit Counsale, efter lang reasoning upoun the allegeance forsaid be sentence interlocutor, fand that conforme to the lawis of this realme, observit and kepit in all tymes bipast memour of man, that the saidis Robert and Maister David suld have the said allegeance to their preif; nochtwithstanding the quhilk interlocutour, the said Robert Kirktoun and Maister David Quhitlaw on that ane part, without prejudice of the lawis of this realme, of thair awin fre willis—and the said Capitane Skenestoun on that uther part, referrit the taking of the said Schir Robert Bowis, and quhais presoneir he is, to the aith and depositioun of the said Schir Robert; and however the said Schir Robert deponis, my Lord Governour and Lordis of Secreit Counsale thairefter to decerne quham to he pertenis and quhais presoneir he is; and baith the saidis partiis wer contentit howevir my Lord Gouernour and Counsale forsaid decernit in the said mater, thai to abid at the samin, and to deliver all maner of gudis that ony of thame tuk or hes pertening to the said Schir Robert to the party that he is maid presoneir to, and never to move, pik, nor gruge ony quarrell ather of thame to uthairis thairfor, bot sall stand in hartlie kyndnes with uthairis in tyme to cum, lik as in the act of the dait at Edinburgh the xiij day of September the yeir of God $j^{m}v^{c}$ and xlviii yeris maid thairupoun is at mair lenth contenit; and the saidis Robert and Maister David, haifand respect to thair just caus daylie and continewalie at all conventionis of my Lord Governour and

Counsale menit, thaim and gaif in diverse and sindry complayntis laitlie upoun the xiii day of July the yeir of God $j^{m}v^{c}xlix$ yeris; my Lord Governour and Lordis forsaidis, haifand consideratioun that the said mater had slepit of langtyme, and that the said Capitane Skenestoun wes furth of the realme, thocht thai culd nocht proceid aganis the said Capitane at that tyme; thairfor ordanit the said Capitane to be warnit of new upoun lx dais warning, to compeir befoir thame to heir and se it be procedit in the said mater quhair it left, and justice minstrat thairintill as accordis. And in the meyntyme ordanit the said Sir Robert Bowis to remane in this realme, and nocht to be transportit furth of the samyn quhill the end of the pley, lik as in the Act maid thairupoun of the dait the xiii day of July the yeir of God forsaid mair fullelie proportis. The said Robert Kirktoun and Maister David Quhitlaw being personalie present, and the said Capitane Skenestoun being lauchfullie warnit be oppin proclamatioun at the Mercatt Croce of Edinburgh upoun lx dais to this actioun and caus, oftymes callit and nocht comperit, the partys presentis rychttis reasonis and allegationis, togidder with the dispositioun and aith of the said Sir Robert Bowis, being producit, hard, sene, and understand, and thairwith being riplie avisit, my Lord Governour and Lordis of Secreit Counsale, haifand respect to the meritis of the caus and to the said Sir Robertis aith and depositioun forsaid, findis, declaris, deliveris, and decernis that the said Sir Robert Bowis is just and lauchfull presoneir to the said Robert Kirktoun, and that the said Sir Robert pertenis to him, and thairfor ordanis all maner of gudis, takin be the said Capitane Skenestoun or that he hes pertening to the said Sir Robert, to be deliverit agane to the said Robert Kirktoun, conform to the actis forsaidis for the caussis abonewrittin, and that lettres be direct heirupoun, gif neid be, in forme as efferis.

Apud Edinburch, xx Aprilis (licet hic scribitur), anno, etc. $v^{c}l^{o}$.

In presentia Regine et Gubernatoris. Sederunt. Huntlie Cancellarius. Archiepiscopus Sancti Andree. Argile, Marschell, Glencarne. Dominus Ruthven. Abbas de Cowper.

The quhilk day, in presens of the Quenis Grace, my Lord Governour, and Lordis of Secreit Counsale, comperit Gilbert Erle of Cassillis, lieutennent to our Soverane Lady of the south partis of hir realme, and reducit unto thair rememberance how thai, in the moneth of December, the yeir of God $j^{m}v^{c}xlviij$ yeris, plesit to do him that honour as to require to accept the office of lieutennendry and charge of certane lycht Scottis horsmen payit be the maist Cristin King of France, this realme being at that tyme greitlie oppressit with our auld ynemeis of Ingland be ressoun of the lait tynsale of the Feild of Pinke, and that thai had the fortis of Haddingtoun, Home, Lauder, Dunglass, Roxburch, and diverse uthairis fortis within Scotland, off the quhilkis, be the grace of God and help of the said maist Cristin King

of France, ane part wes recoverit be force, and ane uthair part, be appoyntnament of the honourable peax laitlie contractit betuix him and the King of Ingland, in the quhilkis, our Soverane Lady, hir realme and subjectis ar comprehendit; and sua now beand at peax with our saidis innemeis and this realme fre of thaim, it wald pleise the Quenis Grace and my Lord Governour to discharge him of the said office of lieutennandry; and, gif he had offendit in misusing thairof, offerit him reddy to underlie punischment, and gif thai had fund that he usit the samyn to thair plesouris and had done gud service to thaim and to the commoun weill of this realme, desyrit that thai, with avise of the counsale, wald declair the samyn. The Quenis Grace, my Lord Governour, and Lordis forsaidis, fand that the said Erle of Cassillis had done gud, trew, and thankfull service to our Soverane Lady and thame induring all the tyme sen he accepit the said office, and thairfor wes weill content that he suld now in tyme of peax be relevit of the samyn, and promittit that for his gud service ellis done in using thairof, he suld be rewardit with the first benefice that sal happin to waik conforme to the Quenis Grace and my Lord Governouris obligatioun gevin to the said Erle thairupoun.

Apud Edinburch, xxij Maij, anno Domini millesimo quingentesimo quinquagesimo.

The quhilk day, forsamekill as in the treaty of peax laitlie takin betuix the maist Cristin King of France on that ane part, and the King of Ingland on that uther part, our Soverane Lady, hir realme, and subjectis ar comprehendit; into the quhilk pece, it is divisit and ordanit that the fortis of Roxburch and Aymouth salbe randerit at ane certane day appoyntit thairto; nochttheles the personis Inglismen presentlie being in the saidis fortis daylie and continewalie makis incursionis upoun our Soverane Ladyis liegis nixt adjacent unto thaim, reiffis, spulzeis, and oppressis thame, tending to do that is in thame to violate and brek the pece contrair the myndis of the Princis; and for to evaid sik inconvenientis as may heirefter follow thairupoun, and rest and quietness of baith the realmes, it is divisit, statut, and ordanit be my Lord Governour and Counsel, that lettres be direct to command and charge all and sindry our Soverane Ladyis liegis be oppin proclamatioun at the mercat croces of and uthairis places neidfull, that thai, and ilk ane of thame, gif gud attendence at all tymes quhen the forsaidis personis happynnis to cum furth of the saidis fortis without licence to the effect abonewrittin, and gif thai pretend to do ony hurt or harme to the cuntre or liegis thairof, that thai and every of thame tak and apprehend thame as presoneris; with certificatioun to thame that all sik personis, cumand furth of the fortis forsaidis to the intent abone expremit, salbe reput and haldin as just and lauchfull presoneris, and that thair takar sall nocht be callit, nor accusit, nor incur ony danger or skayth thairthrow in thair personis, landis,

or gudis, bot salbe reput and haldin as faythful and trew liegis to this realme in all tymes to cum.

Apud Edinburch, vigesimo tertio Maij, anno, etc. v^c quinquagesimo.

Presentibus, Regina, et Gubernatore. Sederunt [1]

The quhilk day, forsamekle as the Quenis Grace, my Lord Governour, and Lordis of Secreit Counsale, haifand respect to the greit and hie attemptattis committit and done be Patrik Erle Bothuile, and how he hes had him towart our Soverane Lady, my Lord Governour, and the autorite in sindry behaffis; thairfor it is divisit and ordanit be the Quenis Grace, my Lord Governour, and Counsel, that summondis of treasoun be rasit upoun the said Erle, and ordanis the Quenis Advocat to libel the samyn conforme to informatioun to be gevin to him thairupoun, and ordanis the Clerk of Chancellarie and Kepar of the quarter seill to answer the samyn accordinglie, as use is.

Apud Edinburcht, nono Junij, anno, etc. v^c l^o.

Presente, Domino Gubernatore. Sederunt. Archiepiscopus Sanctiandree. Comites—Angus, Marschell, Cassillis. Episcopus Galwidie. Abbates—Cowper, Dunfermling. Dominus Ruthven. Dominus Georgeus Douglas. Willelmus Hamiltoun, Miles. Clericus Registri. Clericus Justiciarie. Robertus Carnegie. Advocatus.

The quhilk day, forsamekill as my Lord Governour and Lordis of Secret Counsale, hevand respect to the gret and hie contemptioun done be the provest and bailleis of Edinburch except James M^cGill, ane of the bailleis of the samin, to our Soverane Lady and my Lord Governour and the auctoriet; and in speciale, for disobesance in furnessing of certane horssis to Monsieur de Marques de Mayne and his company, conforme to the charge gevin to thame in counsale quha except the samin upoun thame, and for certane uthairis considerationis and motivis movin his Heenes and Lordis forsaidis, hes dischargit and deprivit, and presentlie dischargis and deprivis, the Provest and Bailleis foirsaidis, except before exceptit, of thir offices forsaid, and will and decernis that thai, nor nane of thame, fra this day furth, sall use the said office, nor use ony fredom within the said burch; bot the Bailles now being in ward sall remane in the castell of Edinburch in ward during my Lord Governouris will for thair contemptioun; and to the effect that ane ordour may be presentlie had in the said burch and reformatioun of sindry oppressionis now regnand in the samin, ordanis the said James M^cGill, ane of the Bailleis forsaid, to convene the counsale of Edinburch and Deikynnis of Craft in the Tolbooth of the samin the morn, befor us, and thaur to chose ane new Provest and the uthair Bailleis to him, to use the said office, being burgessis and induellaris thairof, conforme to the Act of

[1] Not recorded.

Perliment maid thairupoun, and the said provest and bailleis to use the said offices unto the feist of Michelmes nixt to cum, and ordanis proclamatioun heirof to be maid at the Mercat Cros of Edinburcht, in all forme as efferis.[1]

Apud Edinburgh, xxiiij^to^ Junij, anno, etc. v^c^l^o^.

In presens of my Lord Governour and Lordis of Secreit Counsale, comperit Johnne Cant and Andro Lamb, induellaris in Leyth, and of thair awin consentis wes contentit to compere befoir my Lord Governouris Grace and Lordis of Counsele and Sessioun the morn, and ansuer summarlie, and but delay, to ane supplicatioun and complaynt to be maid and gevin in be Maister Henry Lawder, Advocat, to our Soverane Lady in hir Graces name and behalf, and Peir Asseyart, Franchman, for his intres for the reductioun of ane pretendit proces of apprising, maid at the instance of the saidis Johnne and Andro, upoun ane schip quhilk pertenit to umquhile Johnne Davidsone, for sik reasonis and caussis as salbe contenit in the clame to be gevin in thairupoun; and in likwyss to bring with thaim and produce the said pretendit proces of apprising the said day, to be sene and considerit to the effect forsaid, with certificatioun to thaim and thai failze, that the samyn salbe decernit of nane availl, force, nor effect in tyme to cum.

Apud Edinburch, xxvij Junij, anno v^c^ quinquagesimo.

The quhilk day, forsamekill as it wes divisit and ordanit be the Estatis of Parliment that every burch, within this realme, suld mak compt of thair commoun gudis of the burgh in the Chakker yerelie, and now in this present chakker, Nychol Wache, ane of the Bailleis of the burgh of Peblis, hes comperit and maid [compt] of thair burrow males, and hes maid na compt of thair common gudis, contrair the tennour of the said Act of Perliment.[2] Thairfor the Lordis Auditoris of chakkar assignis to the said Nicol, with continuatioun of dayis, to compere before thame, and to bring and to produce with him thair rental of the commoun gudis of the said burgh, and how the samin is distribute of the last yeir bygane, to be sene and considerit according to the said Act of Parliment, under the pane of rebellion and putting of him to the horne, with certificatioun to him, and he failze, that lettrez salbe dereict to put him to the horne; and for releiff of the said Nicoll, ordanis him to have lettres to command and charge the Provest and Bailleis, Communite, and Thesaurar of the said burgh of Peblis

[1] "Act of Parliament maid thairupoun," viz., 1537, c. 35, "of chesing of officiaris in Burgh, and bringing of their comptis of commoun gudis yerlie to the Chekker (Act Parl. Scot., ii. 349), in narration of causes how the Burghs "are putt to povertie, waistit, and distroyit in their gudis and polecy, and almaist ruynous," enacts "that na man in tyme cuming be chosen Provost, Baillies, or Aldermen into burghs, but they that ar honest and substantious Burgesses, Merchants, and indwellaris of the said burgh, under the pane of tinsale of thare fredome quha does in the contrair."

[2] See Statute cited in preceding note. On this matter of accounting for and recording their "common good," see "Charters and Documents relating to the Burgh of Peebles, with extracts from the Records of the Burgh," printed for the Scottish Burgh Records Society, p. 203.

to geiff and deliver to the said Nicoll Waiche the rentale of the said burgh, and how the samin is distribut, to the effect aboun writtin, under the pane of rebellioun, and with certificatioun as is aboun writtin.

Item, ordanis siclik lettres to be direct under the samin form tuiching the common gudis of the toun of Lanerk, and to compeir before the Lordis Auditouris the viij day of July nixt to cum, with continuatioun of dayis, to the effect abone writtin.

Apud Edinburch, xxviij° Junij, anno, etc. v^{c}l°.

The quhilk day, my Lord Governour and Lordis of Secreit Counsale, havand respect to the complaint send fra the counsale of Ingland upoun Richart Hepburne, Adame Witte, and uthairis collegis, tuicheing the takin of ane Inglis schip callit the Katherine of Errith, thocht expedient that the takaris of the said Inglis schip, and gudis being in the samin, suld find cautioun that the samin schip and gudis suld be furth-cummand as law wauld, in caise scho wer nocht fund just prise, lik as in the act maid thairupoun is at mair lenth contenit; and for performing of the said act and ordinance, in presens of the Lordis of Counsale comperit thir personis underwrittin, awnaris and quarter-maisteris of the Litill Unicorne and the James, takaris of the Ingelis schip forsaid, and fand catioun as followis: That is to say, James Culane become cautioun and souertie for David Lougane, and the said David Lougane become cautioun and souertie for the said James Culane, and the said David Lougane become cautioun and souertie for Richart Hepburne, and Johame Lekprevik become cautioun and souertie for Andro Mailvile, David Forestar, burges of Edinburgh, become souertie and catioun for James Fowlar, James Culane become catioun and souertie for William Gourlaw, David Lougane become catioun and souertie for Matho Bruse, and James Fowlar become souertie and catioun for William Portuous; the personis abone writtin, quha hes fundin the said souertie in maner forsaid, ar the awneris and quartermaisteris of the Litill Unicorn; and in lik maner, Florance Isontoun become catioun and souertie for Johame Cant, Andro Lamb become cautioun and souertie for David Vitter, and David Forester become cautioun and souertie for James Fowlar, awneris of the schip callit the James; and alsua David Witte become cautioun and souertie for Matho Foular and James Litillsone, tua of the quartermaisteris of the James, and Flourance Cornelioun become cautioun and souertie for Johame Thomsone, ane uthair of the quartermaisteris of the James, that the said Ingelis schip callit the Kathrene of Errith, and gudis being in the samin, salbe furth cummand as law will.

Apud Edinburch, tertio die mensis Julij anno domini millesimo quingentesimo quinquagesimo.

The quhilk day, forasmekill as my Lord Governour and Lordis of Secreit Counsale, understandand that the clippit sowsis and clippit caralus ar cryit

doun in the realme of France, and nane hes passage bot hale sowsis unclippit, and that passis thro with ane ryng maid to that effect, and now is surelie advertist that thair is diverse merchandis of this realme that hes boicht all the clippit sowsis and carolus that thai mycht get be the pund and stanis wechtis, and brocht the samin in this realme, tending to caus the samin to have passage amangis our Soverane Ladys leigis, and thairthrow to get the gold and silver of this realme, and to have the same furth to uthair realmes and cuntreis, to the gret apperand hurt of our said Soverane Ladys legis and commounwele, without provisioun be had in dew tyme. Tharefore it is divisit and ordanit be my Lord Governour and Lordis of Secreit Counsale, that na clippit sowsis nor clippit carolus have passage in this realme, na be ressavit amangis our Soverane Ladyis legis in merchandice or uthair wayis, and that nane of our Soverane [Ladyis] legis tak upoun hand to giff nor ressave the samin for ony maner of stuff or merchandice in tyme to cum unto the Perliment, and that ane declaratour be gevin be my Lord Governour and Thre Estatis thairupoun, under the pane of deid and confiscatioun of all the personis gudis doand in the contrair, als wele to the ressavar as to the gevare, for the caussis aboun writtin.

Apud Edinburch, quinto Julij anno domini, etc. quinquagesimo.

The quhilk day, forsamekill as my Lord Governour and Lordis of Secreit Counsale, hevand respect to the gret dampnage and skayth that this realme hes sustenit thir mony yeiris bigane, and daylie sustenis, throw the rapear of strangoris of all nationis to this realme, bryngand with thame all kynd of merchandice and selling the samin for mony, and how sone the said mony is gottin, be the lawis and actis of Perliament maid be oure Soverane Ladyis meist nobill predecessouris, quhom God assolze, aucht and suld be employid and wairid upoun sic marchandice and pennyworthis as is within the realme, and na gold nor silver to be taken furth of the samin, under the pane of escheting of all that mony, and all uthiris thair gudis, lik as the said actis in the self at meir lenth proporttis.[1] Nochtheles the contrair hes bene done thir mony yeiris bigane, and is daylie done, incontrair the tennour of the said acts of Perliment, to the gret hurt, dampnage, and skaith of this realme, common weill of the samin, and liegis thairof, quhairthrow this realme within schort space is abill to be destitute of all gold and silver without the saidis actis maid thairupoun of befor be put to dew execution and tak effect; and for ramedy heirof, it is divisit and ordanit be my Lord Governour and Lordis of Secreit Counsale forsaid, that lettres be derect to the Provest, Aldermen, and Bailleis of all burrowis, portis, and hevinnis of this realme, and to uthiris officiaris of the Quenis, shereffis in that part, chargeing thame to pas to the marcat croces of all borrouis, portis, and hevinnis forsaidis, and thair be oppin proclamatioun command and

[1] Silver and gold not to be taken out of the kingdom under pain of escheat—1436, c. 13, ii. 24; 1451, c. 15, ii. 40; 1482, c. 11, ii. 182; 1526, c. 11, ii. 306 *et passim.*

charge all and sindry strangeres that ar presentlie in this realme, or that sal happin to cum to the samin portis and hevinnis thairof with thair schippis and marchandice, that nane of thame tak upon hand to tak ony mony, gold nor silver, cunzeit nor uncunzeit, that thai have gottin or sall happin to get for thair said marchandice and gudis, furth of this realme, bot thai wair the samin upoun marchandice and uthir pennyworthis of this realme, conforme to the saidis actis of Perliment, and under the pane contenit in the samin; and to the effect that this present act and ordinance salbe put to executioun, ordanis that sercheouris be deput thairto be the Comptrollar, according to the saidis actis and to justice, and the said sercheouris to be deput salbe haldin to answer for the executioun of the premissis upoun the utermost charge, and the Comptrollar that deputis the samin, in caise ony failzie be maid, he salbe callit and accusit thairfor, and the witte salbe imputt to him as accordis.

Apud Edinburch, sexto Julij, anno, etc. quinquagesimo.

The quhilk day, the Lordis of Secreit Counsale, considerand the gret enormiteis dalie done to our Soverane Ladyis legis, als wele within hir awin watteris and firthis as in uthair places, be schippis of Holand, Flussing, and uthiris the Lawlandis of Flandaris, subjectis to the Empriour; hes thocht expedient to licence the weire schippis of this realme, sa many as ar now in ordiner, to pas furth in weirfar for stanching thairof; providing alwayis that befor thair deperting that the maisteris, awneris, and capitanis of ilk schip comper befor Thesaurar Clark, and ressave sey borrow, and find sufficient cautioun that tha sall pass na uthair way bot upoun the cost and throw the watteris of Scotland, quhill tha have owthir takyn or chasit the saidis piratis furth of the boundis forsaidis, and that tha sall do na hurt, harm, nor violence to na uthair of our Soverane Ladyis freindis, allya, and confideraris, and specialie to the Franchmen, Ingilismen, Denismen, Swadynmen, Emdein, Danskinmen, Hamburch, nor nane of the stedis, nor to na uthair natioun bot to Holland, Flussing, and Lawlandis of Flanderis, subjectis to the Empriour alanerlie.

Apud Edinburch, xvj Julij, anno, etc. v^{e} quinquagesimo.

Presente, Domino Gubernatore. Sederunt. Archiepiscopus Sancti Andree. Georgeus Comes de Huntlie Cancellarius. Episcopi—Candidecase, Dumblanensis, Orchadensis. Comites—Angus, Glencarne, Cassillis, Sanctandrews. Abbates—Dumfermling, Culross. Dominus Ruthven. Dominus Georgeus Douglas, Willelmus Hamiltoun de Sanchar, miles. Clericus Registri. Robertus Carnegie de Kynnard.

The quhilk day, forsamekill as my Lord Governour and Lordis of Secreit Counsale, hevand respect to the proclamatioun maid in France to wair the sowsis, and in speciale, to wear the clippit sowsis; and how that thair is diverse of

oure Ladyis legis that hes brocht hame ane part of the saidis clippit sousis, and to the effect that oure Soverane Ladyis legis suld nocht be defraudit thairthrow, the samin wes cryit doun unto the tyme that ane ordour may be putt thairto, lik as in the act and procliematioun derectit thairupoun is at mair lenth contenit. Thairfore, my Lord Governour, with avise of the Lordis of Secreit Counsale, ordanis the Lordis Auditouris of Chekker to avise with actis and statutis maid in the partis of France tuiching the passage of the saidis clippit sowsis, and how the samin sall be haid towart the cunyeit hous; and tharefor to mak actis and ordinances thairupoun, conform to the saidis actis maid in France thairupoun, and to mak publicationis heirupoun as efferis, with power to the saidis Lordis Auditouris of Chekker to do the samin, siclik as my Lord Governour and hale Lordis wes personalie present at the making of the saidis actis and ordinances.

Apud Edinburch, secundo Augusti, anno, etc. v°l°.

The quhilk day, forsamekill as at the departing of the Franchemen and Duchmen, thair wes certane comptrollaris and uthairis servandis to the King of Franchis thesauris in this realme, that causit the marinaris and uthairis bottismen of Kyngorne, Leith, Kirkaldy, and uthairis, to carray to the schippis, for the quhilkis thair is gret soumes allegit to be debursit, and utheris ar cravand thair waigis and dewitis as yit, and allowance tane be the comptrollaris and uthairis in thair companies; and in likuise the said comptrollaris allegis thame to have debursit gret somes of money for wictualis, and put the samin to large prices in thair comptrollary; howbeit thair is diverse sowmes as yit unpayit, and allowance tane thairof in thair comptrollaris, quhairthrow the King of France and his officiaris ar graitlie defraudit; thairfore the Lordis ordanis ane messer or uthir officiar of armes, to pas to the Mercat Cros of Edinburch, peier and schoir of Leith, Kingorne, Kirkaldy, and uthairis places neidfull, and thair, be oppin proclamatioun, command and charge all and sindrie marineris and bottismen that maid cariage to the saidis schippis of the said Franchmen, and uthair, wictualis and baggage at the tyme of thair departing, and that thai cum to Monsuier Termes luegeing, befor the commissaris diput thairto, Wednesday nixt to cum, the vj day of August instant; and to declair quhat sowmes ressavit for the premissis, and to declair quhat soumes ar restand awand to thame, and in sa far as restis awand to thame thai salbe satisfiit, sua that thair sall na farther complent be had, and justice salbe instant for witualis and wynns at the said tyme, and uthair stuff.

The quhilk day, forsamekill as thair is diverse Franchmen that hes committit sindry attemptattis upoun our Soverane Ladys lieges, quha ar to be accusit and punist for thair demeritis, and thairfor necessar it is that ane assisse be summond thairto; tharefor the Lordis ordanis ane maissar or uthair officiar of armes to pas and summond certane personis quhais names salbe provin in bill, to compeir befoir the jugis commissares deput

to sitt in siclik materis, in the lugeing of Monsuier de Termes in the abbay of Halirudhouse, upon Weddinsday the vj day of August instant, and thair to beir witness in sik materis as salbe inquirit at thame, or to pas upoun ane assisse gif neid be, ilk persoun under the pane of xl ℔.

Apud Edinburch, septimo Augusti, anno, etc. v^{c} quadragesimo.

We do yow to witt, forsamekill as thair wes ane proclamatioun maid of before anent the passage of sowsis, carolis, and liartis, and the samin suld have passage, lik as in the proclamationis derect thairupoun is at mair lenth contenit; throw the quhilk proclamatioun our Soverane Ladyis legiis, of verray ignorance, refusis to tak ony maner of sowsis, als wele thame that passis nocht throw the ryng as tha that passis throw the samin; and in likuise movit upoun contemptioun of our Soverane Lady and her auctorite, nocht only refusis the saidis soussis and carolus, bot in lik maner refusis the pistelaris dulzeartis, alias callit the liartis, and in contrair the tennour of the chargis, statutis, and proclamationis maid thairupoun, incurrand the panis contenit in the samin, quhairthro our Soverane Ladyis legiis ar gratly hurt, to the grete apperand distructioun of this realme, commoun wele thairof. Heirfor we command and charge in our Soverane Ladyis name and my Lord Governour, all and sindry our Soverane Ladyis legeis, baith to burch and to land, of quhatsumevir degre, ordour, conditioun, or preeminence that evir tha be off, that nane of thame tak upoun hand to refuse ony maner of sowsis or carolus that will nocht pas throw the ryng, maid and devisit thairfor, nor yit to refuse the pistoloris nor deliaris, alias liartis, bot to tak the samin for all maner of stuff, witualis, merchandice, and uthairis gudis and gair necessar for the wele of this realme, under the pane off x ℔. to be takyn fra the disobearis and refusaris of the said mony, and the tua part of the said soume of x ℔. salbe appliit to our Soverane Ladyis; and the thrid part salbe applyit to the takair and apprehendar of thaim that refuse the said mony; and giff he be nocht responsall for the said sowme, that the Schereff, Stewart, Baillie, Provest, Aldermen, and Bailleyes of borrowis, quham to the refusar of the said mony is presentit, putt him in the irnis and puniss him in exemple of uthairis with all regour; and to the effect that this present ordinance may tak effect, hes devisit and ordanit certan personis caiptouris, to se quha dar be sa bauld to refuse the samin, and the personis takyn as refusaris of sik money to be poyndit for the said pane, and uthairis to be takyn and punist incontinent, but delay in maner forsaid.

Apud Edinburch, xviij Augustj, anno, etc. v^{c} quinquagesimo.

The quhilk day, forsamekill as my Lord Governour and Lordis of Secreit Counsale, understandand that the flesche hes bene at ane exorbitant derth in tymes bigane, be resoun of the multitude of strangaris that hes bene in this realme quha ar now departit, quhairthrow all kynd of stuff is cumin downe, and be process of tyme is to cum to lowar prices nor tha wer of befor; nocht the les the mutoun is commonlie sauld upoun ane

our hie price, and for remaidy heirof, it is divisit and ordanit that every mutoun be sauld of the prices following. That is to say, the best moutoun for ix ß., the midiling moutoun for viij ß., and the worst moutoun for vij ß.; quhairfor we command and charge all and sindry our Sovrane Ladyis legis flaschouris, that nane of thame tak upon hand to sell ony moutoun bot of the prices forsaidis, under the pain of deid and confiscatioun of all thair gudis as eschete to our Soverane Ladyis use for thair contemptioun; and ordanis the provest and bailleis of this burch of Edinburch to tak cure and diligence upoun thame, and to caus this present act and ordinance to be observit in all tymes to cum, as tha will ansuer to our Soverane Lady and my Lord Governour upoun thair utermost charge, and under the pane of tinsell of all thair fredoum.

Apud Edinburch, quinto Septembris, anno domini millesimo quingentesimo quinquagesimo.

Presentibus, Regina, et Gubernatore. Sederunt. Comes de Huntlie Cancellarius. Archiepiscopus Sancteandree. Episcopi—Abirdonensis, Candidecase, Dunblanensis, Rossensis, Orchadensis. Comites—Angus, Ergile, Cassillis, Marschell. Abbates—Dunfermling, Cowper. Magister de Erskin. Dominus Georgius Dowglas. Clericus Justicarie. Robertus Carnegy de Kynnard.

The quhilk day, in the presens of the Quenis Grace, my Lord Governour, and Lordis of Secrete Counsale, comperit George Erle of Huntlie Chancellar, and for him self, his kyne, frendis, men, tenentis, assisteris, audherentis, allya, and part takaris on that ane part; and Gilbert Erle of Cassillis, Robert Lord Maxwell, Sir George Douglas of Pettindreich, and James Douglas of Drumlanrik, Knychtis, for thame selffis, thair kyn, frendis, men, tenentis, servandis, assisteris, adherentis, allya, and part takaris on that uthir part; and athir of thame, hinc inde, hes, at the desire and request of the Quenis Grace and my Lord Governor, assurit, and be the tennour assuris athir parti utheris, thair kyn, men, tenentis, servandis, adherentis, assistaris, allya, and parttakaris, to be unhurt, unharmyt, unpersewit, vexit, and untriblit, athir of thame be uthiris, in thair personis and gudis, takkis, rowmes, stedingis and possessionis, in the law or by the law, in word or deid, fra this day furth, and ay and quhill all the saidis parteis returne furth of the parttis of France in the realme of Scotland and xxiiij dayis thairefter; and all the saidis partiis hes bundin and oblist thame, and faithfully bindis and oblessis thame, be the faithis and truthis of thair bodeis, the halie Evengillis tuichit, to observe and keip this present assurance lelelie and treulie, but fraud or gilie, during the said space, undir the panis of perjure and infamyte, and the party failyeand nevir to be reput nor haldein as ane honest man, bot to be banist and exelit all honest company fra thyne furth; and for the mair securite and performyng of all and sindry the premissis, all the saidis personis, particularelie be himselff, hes uthalden his hand to the Quenis Grace, moder to our Soverane Lady, quhais Grace tuk every manis hand thairupoun, day, yeir, and place forsaidis.

Apud Edinburch, septimo Septembris anno domini millesimo quingentesimo quinquagesimo.

Presentibus, Regina, et Gubernatore. Sederunt[1]

The quhilk day, forsamekill as the Quenis Grace is in redynes to depart to the partis of France, and hes desirit diverse prelatis, erlis, lordis, baronis, and uthir nobill men with thair kyn, freindis, and servandis, to pas with hir Grace to do hir honour and service, and for the exaltatioun of the honour of the realme, and for thair avise and counsale in sic thingis as may tend to the commoun wele of the samin, and the furthsetting of the gud affairis thairof; and thairfore maid request to my Lord Governour that his Grace wald gif command to the saidis prelatis, erlis, lordis, and barronis forsaidis to depart with hir Grace; and my Lord Governour, haivand respect to hir Graces resonable desyre, glaidlie grantit thairto; and to the effect that nane of our Soverane Ladyis legis of quhatsumeuir estate he be of commandit be my Lord Governour, and that passis away with the Quenis Grace in hir service, as said is, sall incur na harm nor dampnage thairthrowch, my Lord Governour, with avise of the Lordis of the Secreit Counsale, hes grantit and declarit, and be the tennour hereof grantis and declaris, that nane of our Soverane Ladyis legis forsaidis, of quhatsumevir degre he be of, sprituale or temporal, commandit be my Lord Governour and passand actualye with hir Grace in hir service, sall nocht be callit, adjournyt, nor persewit to our Soverane Ladyis lawis befor quhatsumevir jugis or juge, sprituale or temporale, within this realme, nor na process sall be had nor led aganis thame, or any of thame, for quhatsumeuir actioun or caus intentit or to be intentit aganis thame, as said is, and siclik all uthair actionis and proces dependand, concludit, and nocht avisit to cese, unto the Feist of Witsonday next to cum, and tuenty dayis thairefter; and in caise ony of the saidis personis, now passand actualie with the Quenis Grace in hir service as said is, arrivis and cumis hame within this realme, to remane within the samin within the said tyme, than and in that caise, this present act and ordinance sall nocht stryke upoun thame, nor thai sall nocht bruk nor joise the privelege thairof, bot it sall be lefull to all and sindry our Soverane Ladyis legiis that hes ony actioun aganis ony sik personis to persew thame, the xx^{tj} dayis eftir thair hame cummying being outrunin, the partj being lauchfullie summond and warnit thairto as accordis.

Apud Edinburgh, xvij^{mo} Septembris, anno, etc. v^{c}l^{mo}.

The quhilk day, forsamekill as thair wes diverse proclamationis maid of befor, chargeing all and sindry our Soverane Ladys liegis that nane of thame tak upoun hand to refuse any sowsis and carolus that will nocht pas throw the ring, under diverse panis; nocht the les few or nane of our Soverane Ladyis liegis that will ressave any of the saidis sowsis, in hie contemptioun of our Soverane Lady, hir autorite and lawis, and the proclamationis direct thairupoun, incurrand the panis contenit in the samyn; thairfor

[1] Not recorded.

ordanis ane maisser or uthair officiar of armes to pas to the Mercat Croce of the burch of Edinburch, and to all uthair mercat croces of all partis of this realme, and thair, be oppin proclamatioun, command and charge all and sindry our Soverane Ladys liegis, that nane of thaim tak upon hand to refuse ony of the saidis sowsis and carolus that will nocht pas throw the ring, bot to ressave the samyn in commoun passage throw all partis of this realme, for all kynd of merchandice and stufe, under the pane of deid and confiscatioun of thair gudis that dois in the contrair, with certificatioun to quhatsumeuir persoun or personis that failzies and will nocht ressave the saidis sowsis in maner forsaid, that he or schö that refuse the samyn salbe instantlie takin and punist to the deid, and all thair gudis eschaett for thair contemptioun; and to the effect that this act and ordinance may be observit and kepit, ordanis the provest, aldermen, and ballies of every burch to tak diligent inquisitioun of the brekaris of the samyn, and to bring thame and roll thair names, and deliver the samyn to my lord Thesaurer Clerk, swa that they may be punist for his contemptioun in maner forsaid, and ordanis lettres to be direct to all schirris and borrowis.

Apud Edinburch, xvj Novembris, anno, etc. v^{c} quinquagesimo.

The quhilk day, forsamekill as thair hes bene diverse and sindry proclamationis, lettres, and chargis, maid and derect oure all partiis of this realme, chargeing all and sindry oure Soveran Ladyis legis that nane of thame tak upoun hand to refuse ony sowsis nor carolus that will nocht pas thro the ryng, and siclyk lyartis and pistolatis of gold, under diverse panis, nocht the les thair is nane of oure Soverane Ladyis legis that will ressave ony sowsis that will nocht have passage throw the reing, carolis, liartis, nor pistolatis, for ony maner of stuf nor marchandece commonlie sauld in this realme, bot aluterlie refusis the samin, incontrair the tennour of the chargis, actis, statutis, and proclamationis derect thairupoun, incurrand the panis contenit in the samin throw dissobedience, of the quhilkis thair is na regard nor e had towart our Soverane Lady, my Lord Governour, nor his autorite, gevand occasioun to my Lord Governoris Grace, nocht onelie to putt the actis to executioun according to the tennour thairof, but als to be rigourus in sic maner nocht to tak the personis refusaris of sik mony gudis, landis, and possessionis bot als thair liffis; and beside the samin, our Soveran Ladyis legiis ar hevilie hurt and for the maist part putt to extreme poverte. And to the effect that na thing salbe had in this realme, bot that the pure salbe putt to uter rewyne, thair is diverse oure Soverane Ladyis legis that hes and daylie bringis hame furth of the partis of France sowsis and carolus clippit and unclippit, and makis myance that the samin hes passage in ane maner, and takis furth of this realme gud gold and uther fyne silver thairfor, tending to do that is in thame to putt this realme to utir indigence of silver and gold, without hasty remaid be haid and maid thairfore in dew tyme: Thairfore my Lord Governour, with avise of the Lordis of Secret Counsale, yit as of befor, decernis and ordanis lettres to

be derect oure all parttus of the realme, alswele to burch as to land, baith regalite and rialte, chargeing officiars of the Quenis, Schereffis in that part, to pas to the mercat croces of all bourrowis and uthires places neidfull, and thair, be oppin proclamatioun, command and charge all and sindry oure Soverane Ladyis legiis of quhatsumevir degre, ordour, conditioun, or preeminence that ever he be, that nane of thame tak upoun hand to refuse ony maner of sowsis nor carolis that will nocht pas thro the ryng, and siclik to refuse na maner of liartis nor pistolatis, bot to tak the samin in commoun passage for all maner of merchandice, stuff, wittualis, and uthairis waris, conforme to the proclamatioun derect thairupoun, and for the proces contenit in the samin, under the pane of tinsell of liff, landis, and gudis. And gif ony persoun or personis for ony kynd of marchandice or gudis coft and sauld within this realme, ordanis the Scheriff, Stewart, Ballie, baith to burgh and land, alswele regalite as rialte, provestis, aldermen, and bailleis of evirry burch, ilk ane of thame within his awin boundis, howsone the complant is maid to him or thame of the refuse of sic mony, to pas and serche ande seik the saidis byarris and sellaris refusaris thairof, and in continent, but delay, to deliver and tak the gudis and gair quhatsumevir, coft and sauld as said is, and deliver the samin to the parti compleyeand, fre but ony payment thairfor in sowse, gold, or silvir, or uthiris wairis. And thairefter to the effect that our Soverane ladyis auctorite be nocht contempnit nor lychtlyit as it hes bene in tymes bygane, ordanis the Schereffis, Stewartis, Bailleis, bayth to burch and land, alsweill rigalitie and rialtie foirsaidis, Provostis, Aldermen, and Bailleis of borrowis, that thai incontinent efter thai be advertist of the name of the refusar of the mony forsaid, that thai eschete all the refussaris of the said mony gudis for thair contemptioun; for the quhilkis, that ane halff salbe applyit and inbrocht to our Soverane Lady and hir Hienes Thesaurar, and that uthair half the Scheriff, Stewart, Baillie, Provestis, Aldermen, and Bailleis of borrowis, ilk ane within his awin boundis, sall have to himselff for his lawbouris. And that na defraud salbe usit in thir case, ordanis ilk Scheriff, Stewart, Ballie, Provestis, Aldermen, and Baillis of every burghe, ilk ane of thame within his awin boundis, incontinent eftir the complaint be made to thame or him, to pas and mak ane inventour of all the persoun or personis gudis that refuse the said mony, to the effect that the samin sall nocht be dilapidat nor put away, bot the samin to be distrubit as said is; that is to say, that ane halff to our Soverane Lady use, and uthair halff to the officiar executour of this act for his laubouris. And for the mair abundance ordanis the Scheriff, Stewart, Ballie, Provestis, Aldermen, and Baillis of every burgh, ilk ane within his awin boundis, to roll the names of the persoun contempnand this present act, and deliver the samin to the Thesaurar Clark, to the effect that all sik personis may be callit upoun their liffis to perticular deitis as accordis, and punist with all rigour for thair contemptioun; and siclik command and charge all and sindry our Soverane Ladyis legis, that nane of thame tak upoun hand to bring ony maner of sowsis, gud nor ewill, clippit or unclippit, furth of the partus of France, or uthair

partus in this realme, for the caussis forsaidis, under the pane of tinsell of liff, landis, and gudis; and attour, giff the Scheriffis, Stewart, Ballies, Provestis, Aldermen, and Baillies of burrowis wes fundin necligent in the putting of this act to dew executioun in all poyntis in maner forsaidis, [ ] vj day to be callit to perticular diettis and justice courtis, and punist thairfore in thare bodeis and gudis for thair contemptioun.

Apud Edenburcht, xxviii Decembris anno domini, etc. v^{c} quinquagesimo.

Presente, Domino Gubernatore. Sederunt. Archiepiscopus Sancti Andree. Episcopus Rossensis. Willelmus Hammiltoun de Sanchair, Miles. Clericus Registri. Officialis Laudonie. Robertus Carnegy de Kynnard.

Anent oure Soverane Ladyis lettres direct to the Schereff of Edenburch within the constabulary of Haddingtoun, and his Deputis, for the reparing and bigging of ane fort at Dunbar, and presenting of the saidis lettres direct to Patrik Hepburn of Boltoun, Schereff deput of the said scherefdome; and upoun the complaynt maid to my Lord Governour and Lordis of Secreit Counsale of the dissobeyance maid be the said Schereff deput throw the refuse of the saidis lettres to put the samyn to executioun, and upoun the contemptioun done to our Soverane Lady, my Lord Governour, and the autorite in that behalff, the said Schereff deput and Maister Johne Forsythe, executour of the saidis lettres, being personally present, my Lord Governour, with avise of the Lordis of Secreit Counsale, assignis to the said Maister Johne Forsythe, officirar, executour of the saidis lettres, the last day of December instant, with continuatioun of dais, to preif the executioun and indorsatioun of the saidis lettres lauchfullie and sufficientlie as efferis; and ordanis him to haif lettres to summond sik witnesis and probationis as he will use for the preving of his said indorsatioun agane the said day; and in the meyntyme ordanis the said Patrik Hepburne to remane in this toun and nocht to depart furth of the samin, quhill the verite be tryit and cognitioun takin in the said mater, under all the hieast pane and charge that eftir may follow, and the said officiar and Schereff deput ar warnit heirof apud acta.

Apud Edinburch, xxix Decembris, anno, etc. quinquagesimo.

Presente, Domino Gubernatore. Sederunt. Archiepiscopus Sanctiandree. Episcopus Rossensis. Comes Ergadie. Abbas de Culross. Dominus Semple. Decanus de Restalrig. Rector de Dumglas, Rector de Askirk. Johannis Campbell de Lundi, Willelmus Hammiltoun de Sainchair, Milites. Clericus Registri. Clericus Justiciarie. Advocatus. Robertus Carnegie. Johannes Gledstanis. Thomas Wemis de Unthink.

Anent the suplicatioun geven in be Harie Worlane, Rolland Broun, Hary Rallingstoun, and Thomas Skalis, factouris for William Jobsoun in Huill,

aganis Magnus Touris and Johnne Cob, maisseris, makaris of the arrestment underwrittin, and als aganis the provest, ballies, and merchandis of the burch of Edinburch, at quhais instance the said arrestmentis wes maid for thair entres; that quhair the sadis compleneris, for thame selffis and as factouris forsaidis, havand our Soverane Ladys conduct to cum within this realm with thair schippis, gudis, and merchandice, and, beleving to have broukit the privelege of thair said saulf conduct, arrivit in the hevin of Leith with thre schippis, laiddin with merchandice, belevand na stop in the selling and disponing thairupoun; nocht the les the said Mawnis Touris and Johnne [Cob], maisseris forsaidis, for quhat caus the said complenaris knawis nocht, thai never offendand nor committand ony falt quhairthrow the said salf conduct may be brokin, hes arrestit thair saidis schippis and gudis being thairintill, swa that thai may nocht dispone upoun the samyn, thair saidis gudis being in poynt of tynsel; and anent the charge gevin to the saidis maisseris to compeir befoir my Lord Governour and Lordis of Secreit Counsale, and to bring and produce the lettres and chargis quhairby the saidis arrestmentis wes maid, to be sene and considerit; and als anent the terme assignit to the saidis Provest, Ballies, and merchandis of Edinburch to compeir for thair interes in the said mater, lik as at mair lenth is contenit in the said supplicatioun and actis maid thairupoun; the saidis complenaris, Inglismen, being personally present, and the saidis Provest, Ballies, and merchandis of Edinburch, and the saidis maisseris comperand be maister James M^{c}Gill, thair procuratour, the rychttis, reasonis, and allegationis of athair party being hard, sene, and understand, and thairwith being riplie avisit, my Lord Governour, with avise of the Lordis of Secreit Counsel and Sessioun, in respect of the saulf conduct producit be the complenaris, findis, deliveris, and decernis the arrestmentis maid be the saidis Mawnis Touris and Johnne Cob, maisseris, upoun the saidis compleneris schippis, merchandice, and guidis to be lowsit, swa that thai may intromett thairwith, and dispone thairupoun at thair plesour, conforme to our Soverane Ladyis salf conduct grantit to my Lord Governour to the complenaris thairupoun, and efter the forme and tennour thairof, and that lettres be direct heirupoun, gif neid be, in forme as efferis.

Apud Edinburch, septimo Januarij, anno j^{m}v^{c} quinquagesimo.

The quhilk day, in presens of my Lord Governour and Lordis of Secreit Counsale, and at command and requieist of my Lord Governour and Lordis of Secreit Counsale, comperit Walter Scott of Brankisholme, Knycht, and tuk upoun the cuire, reule, gyding, and keping of Liddisdaill and inhabitantis thairof in all tymes to cum fra the day of the dait of thir presentis, and thairfor hes maid, constitute, and be the tennour heirof makis, constitutis, him kepar, gydar, and reular of Liddisdaill, boundis thairof, and inhabitantis of the samyn, with all the prevelegeis and dewiteis gevin to him of befoir, conforme to the commissioun grantit to him thairupoun, of the dait at

Lynlythqw the xxviij day of Junij, the yeir of God j^{m} v^{c} fifty zeris, and ordanis ane new commissioun to be maid to the said Walter heirupoun as efferis.

The samyn day, my Lord Governour, with avise of the Lordis of Secreit Counsale, understand that Walter Scott of Brankisholme, Knycht, hes takin the cure, reule, and gyding of Liddisdaill and inhabitantis thairof, in and upoun him, lik as in the actis maid thairupoun is at mair lenth contenit; quhairfor it behuvis him to commoun and speik with the saidis inhabitantis, and to do for thame in thair honest and lefull actiones, caussis, and quarrellis and to defend thame thairintill; thairfor my Lord Governour hes gevin and grantit, and be the tennour heirof gevis and grantis, licence to the said Walter to commoun and speik with the inhabitantis of Liddisdaile, and to manteine and defend thame and every of thame in thair just and lefull actionis; and attour, will and grantis that the said Schir Walter in doing of the premissis sall nocht be reput nor haldin be ane assister or favorar of thame or ony of thame in thair evill dedis and actionis, nor ane manteinar of thame thairintill in tyme to cum; and that he sall incurre na danger nor skaith thairthrow in his persoun, landis, nor gudis in tyme to cum for the caussis forsaidis, and heirupoun the said Schir Walter askit instrumentis, hora sexta post merediem.

The quhilk day, forsamekill as anent the complaynt maid be Richart Diksoun, Inglisman, induellar in Knysburch in Yorkschire, unto my Lord Governour and Lordis of Secreit Counsale, upoun Allane Dikesoun, burges of this burch of Edinburch, makand mentioun that albeit my Lord Governouris grace laitlie grantit to the said Richart, and certane his factouris and servitouris, his lettres of saulf conduct, quhairby thai ar licencit and permittit frelie to resort and repair within this realme in merchandice and uthairis lefull besyness, but stop, trubill, arreist, or impediment to be maid and done to thaim in body or gudis for the space of ane yeir nix to cum, as my Lord Governouris grace said salf conduct grantit to thaim thairupoun mair fullelie proportis. Be vertew of the quhilk, thai and thair servandis hes laitlie cumin to this burch, and brocht with thame certane merchandice and gudis, and payit thair custume thairfor, usit and wont, beleving na trubill to have bene done to thame, bot to have salflie done thair lefull besynes be vertew of thair said salfconduct; nocht the les the said Allane, upoun the xij day of December last bipast, come to Johnne Patersonis house in the Cannogait, and violentlie be way of deid tak thame furth of the samyn, thai than beand in thair beddis, and put thame in presone, captivite, firmance, and irins, and held thame thairin be ane lang space, and hes takin and withhaldin fra thaim thair haill money and gudis quhilkis thai brocht within this realme, express incontrair the tennour of the said salfconduct, thai never being callit nor decernit to have forfaltit the samyn; incontrair the use, consuetude, and lawis of all uther realmes; and nocht allanerlie ar thai haldin and demanit in thair bodyis, war nor captivis,

and thair gudis and money forsaid withhaldin fra thame, bot also thair credit tynt at hame to uter distructioun, quhairupoun thai menit thame diverse tymes to the Lordis of Sessioun, quha referit the samyn alluterlie to my Lord Governour, and wald na way mell thairwith, as at mair lenth is contenit in thair supplicatioun. The said Richart Diksoun being personalie present, and the said Allane Dikesoun being warnit of befoir *apud acta*, oft tymes callit and nocht comperit, my Lord Governour, with avise of the Lordis of Secreit Counsale, havand respect to the lettres of salfconduct grantit and gevin to the said Richart, decretis, deliveris, decernis, and ordanis the said Allane Dikesoun to put the said Richart to liberte and fredome furth of his handis, to that effect that he may pas quhair he plesis, and brouk and joise the privelege of the said salfconduct; and als to restore and deliver agane to the said Richard all money and gudis quhatsumever takin be the said Allane fra him in maner forsaid, conforme to the tekat of ressait maid betuix the saidis parteis thairupoun, and that lettres be direct heirupoun, giv neid beis, in forme as efferis.

Apud Edinburgh, nono Februarij, anno, etc. v^{c} quinquagesimo.

Presente, Domino Gubernatore. Sederunt. Archiepiscopus Sanctiandree. Episcopi—Dunblanensis, Rossensis, Orchadensis. Abbates , Culross. Willelmus Hammiltoun de Sanchar, Miles. Clericus Justiciarie. Robertus Carnegy de Kynnard.

The quhilk day, forsamekle as my Lord Governour and Lordis of Secreit Counsale havand respect to the greit and exhorbitant derth, rissin, and that daylie risis and encressis in this realme, of all kynd of victuallis and viveris; and understandand that the occasioun thairof is throw the having of the samyn furth of this realme to the partis of Ingland and uthairis, quhairintill the Wardanis of the Eist, Middile, and West Marchis, gif thai wald use thair office accordinglie, mycht be the stop thairof; and in likmaner, the Inglis gudis of Ingland, sik as nolt, scheip, and horse and uthairis, ar sufferit to gang and pasture within the boundis of Scotland under assurance of the liegis of this realme, tending thairby to do that in thame to indurre ane possessioun in the proper ground of Scotland; thairfor ordanis lettres to be direct to the Wardannis of the Eist and Midill Marchis of this realme and thair deputis, and to uthairis officiaris of the Quenis, Schereffis in that part, chargeing thame to pas to the mercate croces of all borrowis within the boundis of the saidis wardanrys respective, and thair, be oppin proclamatioun, command and charge all and sindry our Soverane Ladys liegis, that nane of thame tak upoun hand to have or cary ony fische, flesche, nolt, or scheip, cheise, butter, or ony uther kynd of victuallis or viveris quhatsumeuer furth of this realme to ony part of Ingland, and specialie to the toun of Beruik and furnessing thairof; and siclik, that nane of our Soverane Ladyis lieges tak upoun hand suffer ony nolt, scheip, or horse, or ony uther kynd of gudis, to cum and pasture within

the ground of Scotland and boundis thairof, or to remane thairintill under assurance, under the pane of deid and confiscatioun of all thair gudis for thair contemptioun; with certificatioun to thame, or ony of thame, and thai failye or takis upoun hand to attempt or do in the contrair, that it salbe lefull to the saidis Wardanis and thair deputis to confisk all sik gudis, togidder with the rest of all uthairis thair gudis movabill, for the caussis forsaidis.

Apud Edinburch, xxiij° Februarij, anno, etc. v^c^ quinquagesimo.

The quhilk day, forsamekill as my Lord Governour and Lordis of Secreit Counsale havand respect to the greit exhorbitant derth, ryssin in this realme, of all maner of victuallis and viveris; and understandand that the occasioun thairof consistis in the maltmakaris, sellaris of malt, baxtaris, regratouris of victuallis and gyrnalaris thairof, and siklik of wynis and uthair stufe necessar to the sustentatioun of mankynd, nixt and maist ewouse to the burch of Edinburch, quhair our Soverane Ladys liegis continewalie and daylie resortis, quhairthrow the puir ar in poynt to peris, without dew and haisty rameid be providit. And to eschew sik inconvenientis, and punischment of sik regratouris and uthairis that makis the occasioun of sik derth, it is divisit and ordanit be my Lord Governour, with avise of the Lordis of Secreit Counsale, that ane commissioun be direct under the testimonale of the greit seill in dew forme, to Frances Tennent, Provest of Edinburch, makand him justice in that part, gevand him full poweris to convene all and sindry sik maltmakaris, sellaris of malt, baxtaris, regratouris of victuallis and gyrnalaris thairof, and siclik, all uthair regratouris of wynis and stufe, dwelland within four mylis to this burch, alsueill north as south, eist as west, at sik dais of justiciarie as he sall pleis to assigne, in the tolboith of Edinburch, to underlie our Soverane Ladys lawis for the saidis crymes, conforme to the actis of Parliament maid thairupoun; and to that effect, court or courtis of justiciarie, ane or ma, to sett, hald, affirme, and the samyn, gif neid beis, to continew als oft as he sall think expedient, the saidis trespassouris to punis according to the lawis of the realme, efferand to the part, quantite, and qualite of the falt; clerk, serjand, dempster, and all uthairis officiaris and membris of court neidfull, to creat and caus be sworne inquiest or inquiestis of the scherefdome and burch of Edinburch and four half about, leist suspect, and that best knawis the verite to sufficient nowmer to summond thairto, ilk person under the pane of xx ℔.; providing alwayis that the escheit of all sik personis that happynnis to be convict of siclik crymes, to be haill and togidder inbrocht to our Soverane Ladyis use as efferis; and the said commissioun for the space of ane yeir nixt efter the day of the dait heirof to indur, and ferthair indurand my Lord Governouris will.

Apud Hammiltoun, ultimo Augusti, anno Domini j^{m}v^{c} quinquagesimo primo.

The quhilk day, my Lord Governour ordanis ane officiar of armes to pas, charge, command, and require the Lard of Glengarnok to compeir befoir the Lordis of our Soverane Ladys Counsale, quhair it sal happin thaim to be for the tyme, within four dais nixt efter the said charge, and at his cuming to ansuer to sic thingis as salbe laid to his charge, under the pane and charge that efter may follow.

Apud Edinburch, tertio Septembris, anno, etc. v^{c}li^{o}.

In the presens of the Lordis of Secreit Counsale comperit ane maist reverend fader in God, Johnne Archbischop of Sanctandrois, etc., and producit the confirmatioun of the indent of peax, upoun certane hedis and artikillis tretit, endit, and concludit betuix the Commissioneris for the part of our Soverane Lady and my Lord Governour, and the Commissioneris of the King of Ingland on that uthair part, at the kirk of Norhame in the moneth of Junij, the yeir of God j^{m}v^{c}lj yeris, under the Kingis greit seill of Ingland; and siclike, the commissioun grantit and gevin be the said King to Thomas Chetoner, Knycht, to deliver the said confirmatioun, inlikwyise under the greit seill, and deliverit to Maister Thomas Marjoribankis of Ratho, Clerk of Register, to remane in the register; upoun the quhilk deliverance and ressait of the samyn the said Maist Reverend askit instrumentis.

Apud Lynlythqw, quinto Octobris, anno, etc. v^{c} quinquagesimo primo.

Sederunt. Archiepiscopus Sanctiandree. Episcopi—Rossensis, Orchadensis. Abbates—Dunfermling, Culross. Clericus Justiciarie. Magister Alexander Levingstoun. Director Cancellarie.

The quhilk day, forsamekill as my Lord Governour and Lordis of Secreit Counsele being advertesit of the contraversy and debait, ryssin amangis the inhabitantis of the burgh of Striveling, tuiching the chesing of thair Provest this instant yeir, and how that thair is diverse complayntis maid to his Grace and Counsale of the apperand trubill that may follow thairupoun, throw convocatioun of our Soverane Ladys liegis divisit to that effect, and for eschewing thairof, it is divisit, statute, and ordanit be my Lord Governour and Lordis of Secreit Counsele that nain of our Soverane Ladys liegis, of quhatsumeuir degre that ever he be of, tak upoun hand to cum to the tolboith of Striveling the morn, the fift day of October instant, bot sic personis as hes vote in chesing of the said Provest; and that the said Provest be chosin be newtrall personis havand regard to the commoun weill of the said burghe, and be nane uthairis, conforme to the actis of perliament

maid thairupoun, under the pane of tinsale of the fredome of thair said burghe, and siclik that nane of our Soverane Ladys liegis tak upoun hand to mak convocatioun or gaddering, to mak ony stop, lett, and impediment to the chesing of the said Provest, bot that it may be lefull to the said inhabitantis [of] the said burch to cheise thair saidis Provest, conforme to the saidis actis of Perliament, and na uthair wayis, under the pane of deid and confiscatioun of all thair gudis for thair contemptioun, and to the effect that the premissis may be performit as said is, my Lord Governour, with avise of counsale forsaid, ordanis ane of his Graces servitouris, to pas to the toun of Striveling and to se the chesing of the said Provest, conforme to the saidis actis of Perliament and ordinance forsaid, and that lettres be direct heirupoun as efferis.[1]

Apud Edinburch, vij° Decembris, anno, etc. v^c^ quinquagesimo primo.

Presente, Domina Regina. Sederunt. Episcopi Dunblanensis, Rossensis. Abbas Dunfermleine. Dominus Rothwen. Clericus Registri. Johannis Cambell de Lundie, Miles.

The quhilk day, forsamekill as the Quenis Grace and Lordis of Secreit Counsall, heaving awysit with the wrettingis send be my Lord Governouris Grace unto tham derect fra the lord Mackswaill, Warden of the Waist Marchis of this realme foranenttis Ingland, to his Grace, mackand mentioun of the apownttment laitlie maid at Drumfreis, betuix the said Lord on that ane part, and Lord Cunyouris Deputtis spetiallie constitute and aucttorizit be him thairto on the uthair part, tuiwching the recovery of the Debaittabill land, and how the said Mackiswaill had wretteing to the said Lord Cunyour to keip the xxxj dayis of this instant affixt thairto for performing of the purpoise, and that the said Lord Cuinyour hes refusit to keip the dyat, bot wald haiff the samyn stayit, and upoun the purpoise desyrit the Lord Maxwall to send unto him the artickulis convenit, concluddit, and subscryvit be his commisseris deput thairto agane, and in semlabilem maner to resave the artickillis subscryvit be him, lyk as in the wrettingis send unto my Lord Governouris Grace thairupoun. The Quenis Grace and Lordis forsaidis, beieing adwysit with the saidis wrettingis and for ansuer thairto, hes thocht expedient and declarit that the said Lord Maxwall sall nocht stop his proceding to his jurnay, with our ryding of the Debaittabill landis, bot still perfurmeis the samyn in all powinttis, conforme to the artickill and heid of the peace maid laitlie thairupoun, and sic lyk, conforme to the appowintment laitlie maid at Drumfreis betuix the said Lord Maxwaill and the said Lord Cunyour, commissaris spetialie

1 "Actis of Parliament," etc., 1469, c. 5; ratified 1487, c. 14 (Act. Parl. Scot. ii. 95, 175), "Anent the electioune of Aldermen, Bailyis, and uthiris officiaris of burrowis."

"As tuching the electioune of Aldermen, Baillyis, and uthiris, officiaires of burowis, because of the gret truble and contensione yeirly for the chesing of the samyn, throw multitud and clamer of comonis sympil personis, it is thocht expedient," etc. See above, p. 101, note.

deputt thairupoun; and doieing of the premissis and performing of the purpois foresaid, the said Lord Maxwell can do na harme nor hurt, provyding alwayis that the said Lord do, nor procure to be done, upoun the severall ground of Ingland that may tend to the ruptor of the peace and violatioun thairof; and to the delyvering of the artickillis, the said Lord sall ansuer thairto that he delyverit tha samyn to the Cownsall quha hes the samyn in thair handis, and how schone the said Lord happinis to obteine the samyn fourth of the Counsellis handis, he sall do in that behalf that appertinis to him to do of his deutie.

Apud Edinburch, xxiij Decembris, anno Domini, etc. v^{c} quinquagesimo primo.

The quhilk day, forsamekill as the maist Cristin King of France, being rememberit of his men of weir presentlie remaning in this realme, and how thai want thair wageis be certane space, hes laitlie hame certane sowsis, half sowsis, auld and new carolus, and lyartis for payment of thair waigis awin to thame, nocht the les the Quenis Grace, my Lord Governour, and Lordis of Secreit Counsale ar advertesit that our Soverane Ladys liegis refussis to ressave the saidis sowsis, half sowsis, auld and new carolus, and lyartis respective, in payment for thair merchandice, viveris, and uthairis necessaris fra the Franchemen of weir, and uthairis; quhairthrow the said men of weir can nocht be gudlie sustenit. Thairfore my Lord Governour and Lordis of Secreit Counsale, haifand respect to the monyfald gratitudis and plesouris done be the said maist cristin King to our Soverane Lady, hir realme and subjectis, hes statut and ordanit that all the saidis sowsis, half sowsis, auld and new carolus, and lyartis, have commoun passage amangis our Soverane Ladyis liegis owr all this realme, and that the samyn be ressavit indifferentlie in merchandice and uthairwais, but stop or impediment; and ordanis lettres to be direct our all partis, chargeing all and sindry oure Soverane Ladys liegis that nane of thame tak upoun hand to refusse the saidis sowsis, half sowsis, auld and new carolus, and lyartis in maner following; that is to say, the souse vj đ., the half souse iij đ., the carolus v đ., and the lyart thre halfpenneis for merchandice or uthairis viveiris or necessaris, under the pane of deid; providing alwayis that xij of the said soussis wey ane just unce, and the uthair money efferand to the samyn.

Apud Edinburgh, xxvij Januarij, anno, etc. v^{c}lj^{o}.

The quhilk day, forsamekill as the Quenis Grace, my Lord Governour, and Lordis of Secreit Counsale, havand consideratioun of the greit and hevy attemptatis committit upoun our Soverane Ladys pur liegis be thevis and uthairis malefactouris, brokin men, and the diverse murthuris and slauchteris committit be thaim in tyme bigane, and specialie be the inhabitantis

[of] the Debatabill land, quha nychtlie, day, and continualie rydis and makis quotidiane reiffis and oppressionis upon the pur; and in likmaner, all evill doaris and faltouris resortis to the said Debatabill land, and quhatsumever falt thai commit thai ar welcum and ressett be the inhabitantis thairof, and assistis and takis plane part with theif and tratour in thair evill deidis, and na trew man offendit to can get rameid, nor na trespassour can be put to dew punischment; and als understandand that the said Debatabill land and inhabitantis thairof hes bene thir mony yeris the occasioun of weris, and ay hes beine the principall brekaris of the pece, and as yit daylie intendis to do that is in thaim to do the samyn; and to remoiff the occasion forsaid, and to the effect that the treaty of pece laitlie appoyntit may stand in tymes to cum, conforme to the will and mynd of bayth the princes, and for diverse uthairis respectis and wechty considerationis presentlie reheirsit amangis thame, the Quenis Grace, my Lord Governour, and Lordis forsaidis, hes thocht gud, necessar, and expedient, that the Debatabill land be dividit with sik restrictionis and conditionis as salbe avisit upoun and concludit be the Quenis Grace, my Lord Governour and Consel, for the commoun weill of this realme, rest and quietnes of the lieges thairof, and interteneyng of the peax in all tymes to cum.

The quhilk day, forsamekill as the Quenis Grace, my Lord Governour and Lordis of Secreit [Counsel], being rememberit of the mony and diverse gratitudis done to our Soverane Lady, hir realme and liegis thairof, for defens of the samyn, be the maist Cristin King of France, and specialie in bigging of the fort of Aberlady at Lufness, and strenthing thairof with men and munitioun in tyme of weir; and that the samyn is sumptuous to his Majesty and nocht necessar to be kepit now in tyme of peax, and willing to diminische the sumptuous chargeis sustenit be his maiestie in this realme in sa fer as thai may; thairfor the Quenis Grace, my Lord Governour and lordis foirsaidis, ordanis the said fort of Abirlady to be randerit and deliverit to Patrik Hepburne of Wauchtoun, and the samyn to be cassin down and distroyit to the erd, except the housis and mansioun thairof, swa that na fort nor strenth be thair in tymes to cum; and the said mansioun and housis to be broukit and joisit be the said Patrik as his heritaig, lik as his forbearis broukit the samyn of befor in tymes bipast, conforme to his infeftment; providing alwayis that the said Patrik caus the munitioun and artailyery, being in the said fort, to be had and caryt to Dunbar upoun his expenssis.

Apud Striueling, xx^mo Martij, anno, etc. v^c li^o.

Presentibus, Regina et Gubernatore. Sederunt. Archiepiscopus Sanctiandree. Episcopi—Moraviensis, Dunblanensis, Rossensis, Orchadensis. Comites—Huntlie, Ergill, Merchell, Erroll, Glencarne, Cassillis, Athole, Menteith. Abbates—Dunfermling, Sancte

Crucis, Kilwyning, Culrose. Domini—Ruthven, Maxwel, Flemyng, Forbes, Drummond. Dominus Georgius Douglas.

The names of thame divisit to pas to devyd the Debatabill land for the part of Scotland,

Erle of Cassillis.
Lord Maxwell.
Laird of Drumlanrik.
Justice Clerk.

The quhilk day, the Lordis of the Greit Counsel being assemblit at Striveling, upoun the treatice past betuix France and Scotland, and in likwyse the treaty lait past betuix our Soverane Lady and the Emperour, of the dait, at , the day of , the yeir of God $j^{m}v^{c}$ and fifty-ane yeris; and finding be the samyn that the said treatie with the Emperour, is specialie reservit inclusit and comprehendit the maist Cristin King of Frans, his realmes and dominionis, efter the forme of the treatys past betuix his maist nobill forbearis and the Quenis Grace maist nobill forbearis Kingis of Scotland; weying alswa the King of Frances writting and requisitioun laitlie cumin to the thre estaittis of this realme, to declair thame selffis and tak his part according to the tennour of the auld treatys, and to the greit freyndschip that sen his cuming to the croun of France he hes schowin in suppleying of this realm in thair greit mister aganis the greit forces of Ingland, being at that tyme all reddy enterit and fortifyt far within the samyn; hes at last condiscendit and resolvit thame selffis in this maner that thair salbe send to the King of France ane gentilman to schaw, for the part of this realme, unto his Majestie, quhat incommodite may cum to this realm, gif the peax with the Emperour beis brokin; quhat harme may be done thairthrou to the said Emperour, his enemy; and quhat chargeis his Majestie salbe constranit to entere in to on this side in caise the Emperour put ony greit force to thir seyis; and thairthrow to perswaid the Kingis Majestie to be content and satisfyt thairwith als far as he may; bot gif alwayis his Majestie persistis and abidis at that poynt, that he will haif declaratioun of weir maid to the Emperour in naim and behalf of this realm, in that cais thair salbe send to the Emperour ane sufficient personaig to gif up the samyn peax, and declair unto him that this realme can nocht remane at freyndschip with him, he standand at inmymite with the said maist Cristin King of France, maist anciant and maist speciale freynd unto the Quenis Grace our Soverane Lady, and this hir realme.

The quhilk day, it is divisit, statute, and ordanit be the Quenis Grace, my Lord Governour, and Lordis of Secreit Counsel, that thair be ane commissioun maid under the greit seill in dew forme, makand mentioun quhair the Debatabill ground upoun the West Bordouris hes this lang tyme bipast nurist and daylie nurissis ane greit cumpany of theves and tratours to baith the

realmes, to the great hurt and skaith of the liegis of the samyn; the Quenis Grace, with consent of my Lord Governour and the Lordis of hir Prive Counsel on that ane part, and the King of Ingland, with avise of his Counsel, of mutuall consent, hes condiscendit for ramedy of the said debatabloris and quietnes of the liegis of baith the realmes in tymes cuming, that the said Debatabill ground be equalie dividit; and to that effect hes maid, constitut, and ordanit, and be thir presentis makis, constitutis, and ordanis Gilbert Erle of Cassillis, Robert Lord Maxwell, Sir James Douglas of Drumlanrik Knycht, and Maister Johne Ballenden of Auchnowll, Justice Clerk, commissioneris, procuratouris, and speciale messengeris, etc., gevand, grantand, and committand, etc., to meit with commissioneris of Ingland, at dais and places to be appoyntit amangis thame; and thair to treit, appoynt, and conclud upoun the marchis, methis, and boundis of the said Debatabill, and thairefter to devyd the samyn equalie or in sic uthair reasonabill maner as the saidis commissioneris sall think expedient, and to indent heirupoun as efferis, and forthair to assure licenc and permit the commissioneris of Ingland, with thair honest trynis and cumpanyis as thai think caus, to cum to the toun of Drumfreis, or ony uthair toun and place within the West Wardanrie of Scotland, without hurt or molestatioun, to pas and repas, etc., and to gif sufficient conduct thairupoun in our Soverane Ladyis name as efferis.

Item, in lik maner that thair be maid ane commissioun of wardanrie to Johne Maxwell of Terreglis, Knycht, in dew and ample forme, usit and wont, siclik as wes gevin to Robert Lord Maxwell, his brother, of befoir, induring my Lord Governouris will, and the saidis commissionis respective, to be exped under the greit seill.

Articles and Instructionis gevin to Gilbert Erle of Cassillis, Robert Lord Maxwell, James Douglas of Drumlanrik, Knycht, and Maister Johne Bellenden of Auchnoule, Justice-Clerk, commissioneris speciale direct for the divisioun of the debatabill land of the West Marches, with uthairis commissioneris of Ingland, followis.

In the first, ye sall convene with the commissioneris of Ingland at sik day and place as ye appoynt amangis your selffis in writting; and first it is thoct expedient, becaus thair is na perfyt evidentis to clere the boundis of the said Debatabill ground and marchis of the samyn, that thair be ane certane nowmer of the maist honest men of the Bordouris for the part of Scotland, and siclik for the part of Ingland to equale nowmer, chosin and sworne to declair the saidis marchis, and that thair be ane scribe for your part, as the commissioneris of Ingland will put ane of thairis to writt the saidis merchis; and gif thair men agreis nocht, ye sall tak sik uthair tryall as ye and the saidis commissioneris can aggre for decyding of that land that is indifferent, swa that for ane litill valour nocht to leif the landis undividit, or giff ye think uthairwais that land that is in contraversy, to devyd the samyn;

providing alwayis that ye enter nocht to na divisioun of the landis of the Priorye of Cannoby as debatabill.

Item, quhen ye haif aggreit upoun the merchis of the said Debatabile ground, than ye sall proceid to the divisioun of the samyn in ane equale maner or thairby, as ye can aggre be your awin discretioun; that ane half to pertene severalie to Scotland, and that uthair to Ingland, in tymes cuming, and to mak ane perfyt endent betuix yow and the saidis commissioneris of Ingland, quhilk sall nocht allanerlie contene the haill marchis and methis of the debatabill, bot alswa of twa halffis as beis dividit under your selis and subscriptionis, as the maner is.

Item, to desire that the indent proport that it sall nocht be lesum to ather of the princes, nowthair of Scotland nor Ingland, nor successouris, to big ony strenth upoun ony part of the said debatabill land in ony tymes to cum, bot the samyn to be occupyit and manurit in maner of husbandrie, and gif this can be obtenit consent to the downputting of baith the stane houssis that is biggit upoun the Debatabill, and howbeit it be nocht obtenit leif nocht the said Debatabill undevidit.

Item, giff it be desyrit at yow that the inhabitantis now for the part that happynnis to Scotland to remane upoun the samyn, ye sall appoynt and concord that samony as will cum Scottismen and giff thair aithis and plege for dew obedience and gud reule salbe ressavit as Scottismen to the Quenis pardoun, as samony as ye Lordis commissioneris promittis pardoun and remitt unto, thais personis sall haif the Quenis Grace, and my Lord Governouris pardoun and remitt.

Item, in deviding of the said Debatabill, giff ye can aggre with the saidis commissioneris of Ingland that the samyn be done be the sicht and estimatioun of Eee, it is best so and maist equale, uthairwyise to cast cavillis quho sall devyd the samyn, and the uthair to tak thair choise quhen it is sa dividit.

Item, to understand at your conventioun that the saidis commissioneris of Ingland haif power of the King thair majestie to giff yow saulf conduct to pas with thaim to Carlile, and gif thai haif it nocht, that thai send for the samyn, for ye haif power to gif thaim conduct and salfgard to cum to Drumfreis for the treating of the said besynes.

Apud Striveling, xxiij° Martij, anno, etc. lj°.

The quhilk day, in presens of the Quenis Grace, my Lord Governour, and Lordis of Secreit Counsal, beand convenit upoun greit effaris and materis of the realme, concerning the commoun weill of the samyn, comperit Walter Scott of Brankisholme, Knycht, Wardane of the Middall Merchis of Scotland anentis Ingland, and producit four artikillis dependand in questioun and

contraversie betuix the liegis of baith the realmes of Scotland and Ingland, afoir the wardanis of ather of the realmes of the middill merchis, undecydit or undeterminat, and desyrit ane full determinatioun upoun the samyn, quhilk wes thocht veray expedient and necessar to be done for the part of Scotland, as followis :—

Item, as to the first artikill, desyring provisioun and remedy for perjure; as quhair ony misdoar of Scotland stelis or revis within Ingland, and beis challangit on dais of trew for the samyn, and wilfullie, in his greit aith sworne, denyis the samyn and sweris that he is clene thairof; and thairefter, lauchfullie and sufficientlie, efter the lawis of the Bordour, it beis provin that he is foull of the said attempt and clame, sa that he wilfullie perjuris and mansweris him selff; it is statute, ordanit, and concludit, for eschewing of the greit hurt, harame, skaith, and dampnaige that trew men fra quham gudis ar stolin or reft may incure and daylie incurris throw the said perjurye, quhilk is the veray occasioun of the lang delay of justice, and involvis the parteis in greit lawbouris and expense; for rameid heirof in all tymes cuming, that all sik men that wilfullie mansweris thameself, that duellis on the severall ground within Scotland, in ony of the thre wardanrys, and be just and lauchfull tryall conform to the anciant use and consuetud observit upoun the Bordouris, verifyt afoir the wardane quhair the man that perjuris himselff duellis; that incontinent without delay that ilk wardane sall tak and apprehend him that is provin perjure and mansworn as said is, and sall deliver him to the wardane of Ingland foranentis him, to be put in prisone, and remane in ward, yeir, and day upoun his awin expenssis within Ingland, and at the yeris end to be brocht afoir the wardanis at the first day of trew to be haldin be the said wardanis at the said end of the yeir, and thair, in face and presens of the pepill, to be brunt upoun the cheik with ane key or put to deid at the will and discretioun of the said wardanis, efferand to the qualite and quantite of the falt; providing alway that the wardanis of Ingland of the thre Merchis foranentis Scotland do semblabill for thair part to ony Inglisman that beis mansworne in siklik maner.

As to the secund artikle, desyrand rameid of thaim that stelis or revis the gudis out of Ingland, at duellis upon the severall ground of Scotland, and beis ourtane and convict, quhairof the auld law, use and consuetud of the Bordouris thai wer haldin, to pay for ane ox stollin, , and for ane cow stollin, , and for ane scheip stollin, ; becaus the prices ar now risin, gif the malefactouris now suld pay bot thai prices, it suld be occasioun to thame to steill and reiff, and sway thai suld wyn be the samyn; and for eschewing heirof it is concludit, statute, and ordanit, that all sik gudis stollin or reft, lauchfullie convict, salbe restorit and redressit with the thre dowbillis and salfer; providing siklik that the wardanis of Ingland foranentis Scotland, in semblabill maner for thair part to

cause restitioun and redress to be maid be ony Inglisman that stelis or revis fra ony Scottisman, the thre dowblis and salfer.

Item, to the thrid artikill, concerning the slauchteris or mutilatioun that is committit upoun the Bordouris be the liegis of ather of the realmes, it is thocht expedient and concludit as said is, for staunching of all slauchteris in tymes cuming, quhilk is abhominabill bayth to God and man, that all sic offenderis in tymes cuming, thai beand lauchfullie convict be lawis and custowmes off the Bourdoris, that thai be punist without ony mercy or forgifnes, conform to the artikill contenit in the treaty of peax laitlie tane and concludit betuix the saidis realmes, providing alway the wardanis of Ingland do in semblabill maner sic executioun upoun the Inglismen that committis slauchter or mutilatioun upoun Scottismen; and to all slauchteris bigane sen the treaty of the last peax, it is thocht expedient, gif the wardanis of Ingland will condiscend heirto, that thai be put in writt and billett, and send to the Counsales of aither of the realmes, at equall ordour may be tane thairupoun.

And to the ferd artikill, anentis the Scottismen that clamis the re-entre of presoneris takin sen the begynning of the last weris, and thair ransom for thair forfaltit bandis, becaus thair is sum difficulte heirinto, and nocht resolvit as yit betuix the realmes; gif the wardanis of Ingland will caus the Inglismen to superseid all craving of Scottismen of sik bandis or ransoms unto the feist of Witsounday nixtocum, the wardanis of Scotland sall condiscend heirto, and that na Scottismen sall craif nor banthill to that tyme in thar behalffis.

Item, that the said wardane of the Middil Marchis of Scotland, and als the uthair twa wardanis of the West and Eist Merchis of the samyn, at thair first dais of meting, giff the wardanis of Ingland foranentis thame accordis to the declaratioun of thir four artikillis, and ar contentit that the samyn be appoyntit, convenit, and contract amangis thame to be haldin as law in tymes cuming, that thai consent heirto and mak statutis and ordinances thairupoun, and publice the samyn to the pepile and liegis of baith the realmes as accordis.

Apud Striveling, xxij Aprilis, anno, etc. v^{c} quinquagesimo secundo.

The quhilk day, forsamekill as my Lord Governour, with avise of the Lordis of Secreit Counsale, hes direct certane commissioneris towart the West Bordouris to meit the commissioneris of Ingland for divisioun of the Debatabill land, lik as in the actis and instructionis gevin to thaim thairupoun is at mair lenth contenit; and thairfor necessar it is that the saidis commissioneris be honorabillye and substantiouslie accumpanyit as appertenis; thairfor ordanis lettris to be direct to the Schereffis of Berwik, Roxburcgh, Selkirk, Peblis, Lanerk, Air, Ballies of Kile, Carrik, and Cunynghame, and thair deputis, and to uthairis officiaris of the Quenis,

scheriffis in that part, chargeing thame to pas to the mercat croces of the said schiris and ballierys and uthairis places neidful, and thair, be oppin proclamatioun, command and charge all and sindry Erlis, Lordis, Baronis, landit men and uthairis substantious gentilmen duelland within the saidis boundis, that thai and every of thame, with thair honorabill houshaldis, wele bodin in feir of weir in thair maist substantious maner, pas and meit the saidis commissioneris deput for the part of Scotland, at Lochmabenstane, the xxix day of Aprile instant, and thair to await upoun the saidis commissioneris, and to tak sik directionis as salbe gevin to thame in charge for performing of the premissis, under the pane of tinsell of lif, landis, and gudis.

Apud Linlithqw, xiiij^to^ Octobris, anno, etc. v^c^lij^o^.

Presentibus, Regina, et Gubernatore. Sederunt. Archiepiscopus Sanctiandree. Episcopi—Dunblanensis, Orchadensis
Comites—Ergile, Cassillis, Glencarne, Mortoun
Abbates—Dunfermling, Culross, Kilwynning. Domini—Erskin, Flemyng, Willelmus Hammiltoun. Clericus Registri. Clericus Justiciarie. Advocatus. Robertus Carnegy.

The quhilk day, in presens of the Quenis Grace, my Lord Governour and Lordis of Secreit Counsel, comperit ane maist reverend fader in God, Johne Archbischop of Sanctandrois, and presentit the indent maid betwix the commissioneris for the part of Scotland and Ingland anent the divisioun of the Debatabill land, selit interchangeabillie for the part of Ingland, togidder with the commissioun vnder the greit seill of Ingland, and the cart maid thairof; and thair in presens of the Quenis Grace, my Lord Governour and Counsel, deliverit the samyn to the clerk of register, to remain and be putt in register amangis uthairis the indentis betwix Scotland and Ingland; upoun the quhilk deliverance the said maist reverend fader askit instrumentis, hora tertia post meridiem.[1]

Apud Linlythqw, xvij Octobris, anno, etc. v^c^ quinquagesimo secundo.

Presentibus, Regina et Gubernatore.[2]

The quhilk day, forsamekill as the Quenis Grace, my Lord Governour, and Lordis of Secreit Counsale, at their last being at Inverness at the

[1] On the diplomatic relations of Scotland with England and France, as referred to in the preceding minutes, see in the Fœdera the following:—

Accepta comprehensionis Scotiæ in tractatu pacis inter reges Angliæ et Francorum, 18th April 1551.

Commissio Reginæ Scotorum ad tractandum, etc., cum excellentissimi Principis Edwardi, Dei gratia Regis Angliæ, etc., oratoribus et legatis ab eo specialem potestatem habentibus, 8th May.

Confirmatio Tractatus apud Norham conclusi, 10th June.

Commissio ad Tractandum super Terra vocata Contentiosa, 1st July 1552.

Tractatus super terra prælibata, etc., datum in ipsis terræ Contentiosæ campis xxiv Sept. xv^c^lii.

De Ratificationibus tradendis.

De pace et amicitia confirmandis, et de limitibus ponendis inter Regna Angliæ et Scotiæ, 15th Decr. 1552.

[2] The Sederunt is not entered in the Register.

justice airis for administratioun of justice and punischment of trespassouris, be reasoun of the inobedience maid unto our Soverane Lady, my Lord Governour, and the auctorite, be the Clan Cameroun and Clan Rannald, and thair folkis, throw non compering to underlie the lawis, lik as uthairis liegis of the realme did, at that tyme, divisit and ordanit that the Erle of Huntlie suld pas upoun the Clan Cammeroun, and the Erle of Ergall to pas upoun the Clan Rannald, and baith the saidis Erlis to concur togidder for persut of the said Clan Rannald, lik as in the actis maid at Inverness thairupoun is at mair lenth contenit. And in respect of the report maid be the said Erle of Ergile upoun the behalf of John Moydart, captain of the said Clan Rannald, of his gud mynd and will he beris towart our Soverane Lady, my Lord Governour and the auctorite; and that he wald haif cumin to the Quenis lawis, and done obeysance, giff my Lord Governouris lettres and chargeis had cumin to his knawledge befoir his passing to the Irland, his Grace, with avyse of the Lordis of Secreit Counsale, hes acceptit the report of the said Erle, and thairfor hes causit the said Erle of Argile to continew his procedingis upoun the said Johne Moydart and his cumpany, unto the feist of Candilmess nixtocum, sua that the said Johnne cum to my Lord Governour and Counsel betuix and the feist of Yule nixtocum, to tak thair directioun for the weill of the cuntre; and heirfor the said Erle of Argile bindis and oblissis him to caus the said Johne Moydart to cum to my Lord Governour and Counsel forsaid, betuix and the said feist of Yule nixtocum, and to tak thair directioun to the effect forsaid; and failyeing thairof, the said Erle of Ergile oblissis him to mak weir upoun the Clan Rannald, and to persew thame be fyre and sword, conforme to the first act and ordinance maid at Invernes thairupoun of befoir.

In presens of the Quenis Grace, my Lord Governour, and Lordis of Secreit Counsel, comperit Andro Lundy of Balgony, and Andro Fairny of that Ilk, for thame selffis, thair kin, freyndis, servandis, allya and parttakaris, on that ane part, and Robert Betoun of Creich, for him selff, his kin, freyndis, servandis, allya, and partakaris, on that uthair part, and hes chosin thir personis underwrittin as jugis, arbiters, and amicabill compositoris, to decyd and decern in all actionis, criminall and civile, caussis and quarrellis, that ather of thame hes to say aganis uthairis in ony tymes bigane, unto the day of the dait heirof, and specialie anentis the slauchter of Fairny, committit be the said Robertis freyndis, and the slauchter of Stewart, committit be the saidis Andro Lundy and Andro Fairny, and thair freyndis, and deidlie feid standand betuix the saidis parteis thairupoun; and siclik anent the steding of the landis of Dornok, allegit to pertene to the said Andro Fairny; that is to say, Walter Lundy of that Ilk, Robert Dure of that Ilk, and David Boswell of Balmowto, or ony twa of thame, chosin for the part of the said Andro Lundy and Andro Farny and Balfour of Bourlie, Forbes of Reres, and Kynneir of that Ilk, or ony twa of thaim chosin

for the part of the said Robert Betoun; and in caise of discord, baith the saidis parteis, with ane avise, consent and assent, hes chosin ane venerabill fader in God, George Commendatour of Dunfermling, odman and ourman in the saidis materis, and the saidis jugis, and ourman to convene in the college kirk of Sanct Geill of Edinburgh, the xxvj day of October instant, and thair to accept the saidis materis in and upoun thaim, and to deliver thairintill, betwix the said day and the feist of Sanctandro nixt thairefter, with power to thaim to prorogat thair decreit and deliverance as thai sall think expedient; and however the saidis jugis and ourman, or maist part of thaim, decretis and deliveris in the saidis materis, baith the saidis parteis, in presens of the Quenis Grace, my Lord Governour, and Counsale forsaid, hes maid faith, the haly Evangelistis tuichit, to abid, underlie, and fulfill thair decreit and sentence and deliverance to be gevin thairintill, but ony revocatioun, appellatioun, reclamatioun, or agane calling quhatsumever; and to the effect that all the saidis materis may cum to perfectioun, bayth the saidis parteis hes prorogate and prorogattis the assurance presentlie standing amangis thaim unto the feist of Yule nix to cum, and viij dais thairefter, and bindis and oblissis thaim faythfullie to observe and keip the samyn, in all poyntis, efter the forme and tennour thairof, and under the panis contenit in the samyn.

The quhilk day, forsamekill as the Quenis Grace, my Lord Governour, and Lordis of Secreit Counsel, being rememberit of the greit and hevy complaynt maid be the pur liegis of this realme, makand mentioun that the flesche is barhellit, pakkit, and pelit, and commonlie sauld and had furth of the realme in greit, to utheris cuntreis and specialie to Flanderris; quhairthrow thair is ane gret exhorbitant derth risin of flesche in this cuntre, and understand that the occasioun thairof is be the having of the said flesche furth of the realme as said is; and for repressing of the said derth, and stoppin of the said flesche to be had furth of the realme, and punischment to be maid upoun the doaris thairof, it is divisit, statute, and ordanit, be the Quenis Grace, my Lord Governour, and Lordis forsaidis, that letteres be direct our all partis, and specialie to the borrowis nixt adjacent the sey cost, chargeing all and sindry our Soverane Ladys liegis, be oppin proclamatioun at the mercat croces of Edinburgh, peir and schoir of Leith, and utheris places neidfull, that nane of thame tak upoun hand to barrell, pak, or peill ony flesche to be had furth of the realme to be sauld in uther countreis, and that nane tak upoun hand to by nor sell ony flesche to that effect, in ony tymes to cum, under the pane of deid and confiscatioun of all thair gudis for thair contemptioun; with certificatioun to quhatsumever that dois in the contrar, that thai salbe reput and haldin as oppressouris, and brekaris of the actis and statutis of the realme, and salbe callit to particular dyettis and justice courtis, and ponist thairfor according to the lawis of this realme; and ordanis the Provest and Ballies of every burch and toun, to tak deligent inquisitioun of the brekaris of the said act, and deliver the names of thame to my Lord Thesaurer, to the

effect that he may call thame and punische thame, conforme to the ordinances forsaid, under the pane of tinsale of thair fredome.

Apud Lynlithqw, xix Octobris, anno, etc. v^{c} quinquagesimo secundo.

The quhilk day, in presens of my Lord Governour and Lordis of Secreit Counsale, comperit Neill Montgummery of Langschaw, and for him selff, his kin, freyndis, men, tennentis, servandis, allya, and parttakaris, and all that he may lett on that ane part; and Robert Lord Boyd for him selff, and takand the birding upoun him for James Maister of Boyd, thair kin, freyndis, servandis, men, tennentis, allya, and partakaris, and all that thai may lett on that uthair part; and thir hes assurit, and, be the tennour heirof, assuris ilk ane of thame uthairis, thair kin, freyndis, men, tennentis, servandis, allya, and parttakaris, to be unhurt, unharmit, unpersewit, unvexit, untroublit, or ony uthairwais injurit, other in the law or by the law, in thair personis, landis, rowmes, possessionis, or gudis quhatsumever, unto the feist of New Yeir day nix to cum: viz., the first day of Januar nix-to cum, under the pane of perjure and infamite; and the party failyeand never to be reput nor haldin honest, bot to be exilit of all honest cumpany fra thyne furth. And for the mair securite and faythfull observing and keping of the said assurance in all poyntis, ather of thame to uthairis, the said Neill hes fundin Hew Montgummery of Stane, Robert Hammiltoun of Briggis, and David Hammiltoun of Bothwellhauch, cautioneris and souerteis for him conjunctlie and severalie, under the pane of v^{m} ℔.; and the said Robert Lord Boyd hes fundin James Lord Somervell and him selff conjunctlie and severalie cautioun and souerte for him and his said souerte, under the pane of v^{m} ℔.; and attour it sall nocht be lefull to ather of thir parteis to giff up this assurance, ony of thaim to uthairis, in the meyntyme, quhill the said day, bot in presens of my Lord Governour and Lordis of Council forsaid; and the saidis parteis and thair souerteis hes subscrivit this assurance with thair handis, day, yeir, and place forsaid.

The quhilk day, forsamekill as the Quenis Grace, my Lord Governour, and Lordis of Secreit Counsale, being rememberit of the monyfald and diverse utheris actis and statutis maid in Generall Counsale, and utherwais, for suppressing of derth in this realme, of wynis, lik as in the actis and statutis maid thairupoun is at mair lenth contenit, and specialie the last act of Parliament maid at Edinburch the first day of Februar, the yeir of God j^{m}v^{c}lj yeris.[1] Nochtwithstanding the quhilkis, and greit multiply of wynis daylie cumand in this realme, at the eist and west seyis, the prices thairof

[1] Prices of Bordeaux and Rochelle wine fixed; the former not to exceed £15 to £20 per tun, or 8d. to 10d. per pint, the latter £12 to £16 per tun, or 6d. to 8d. per pint; old and new wine not to be mixed, nor water added; wine not to be hoarded or concealed, but to be put in taverns and vaults, and sold at the fixed prices. Perth privileged to sell wine at 2d. per quart dearer than other burghs—1551, c. 1, ii. 483.

encresse and dekayis nocht, bot the derth remanis. And to put ordour now in dew tyme thairto, the Quenis Grace, my Lord Governour, and Lordis of Secreit Counsale, understandand that the wynis this instant yeir, as apperis, ar multiplyt in France, and thairby may be sauld upoun competent and reasonabill prices, with gud and sufficient proffit had alsweill to the byaris as sellaris; nocht the les, thair is diverse and sindry our Soverane Ladys liegis that byis the said wynis in greit, and forstallis the samyn in prive maner, and kepis the saidis wynis to ane derth, incontrair the tennour of the act of Parliament maid thairupoun, incurrand thairthrow the panis contenit in the samyn.[1] Thairfor the Quenis Grace, my Lord Governour, and Lordis forsaidis, ordanis lettres to be direct to officiaris of the Quenis, Schereffis in that part, chargeing thaim to pas to the mercat croces of all borrowis of this realme and utheris places neidfull, and thair, be oppin proclamatioun, command, and charge all and sindry our Soverane Ladys liegis, that nane of thaim tak upoun hand to by ony wynis that is cumin, or happynnis to cum in, the hevynnis or portis of this realme, at the eist and northland seyis, fra this day furth, of ony derrer price nor xvij ℔. the toun of Bourdeoux wyne, and xiij ℔. the toun of Rochell wyne; and that nane of thame sell the samyn of ony derrer price nor viij ₫. the pynt of Bowrdeaux wyne, and vi ₫. the pynt of Rochell wyne; and that na wynis that is to cum, nor is cumin in, at the west seyis portis and hevynnis thairof, be bocht of ony derrer price nor xv ℔. the toun of Bourdeoux wyne, and the toun of Rochell wyne for xiij ℔.; and the samyn to be sauld in pynt and quart in maner forsaid under the pane of eschaeting of all the saidis wynis that thai sal happin to by, togidder with the rest of all thair gudis movabill, for thair contemptioun; and this act to extend alsweill to burcht as to land, and upoun the byaris and sellaris.

Apud Edinburgh, ultimo Novembris, anno, etc. v^{c} quinquagesimo secundo.

The quhilk day, it is devysit be my Lord Governoure and Lordis of Secreit Counsall, that ane certane number of fitmen be resit and uplittit of this realme, to be send in France for the support of the maist Christinet Kyng, conform to the awld liegis, bandis, amitie, and alyansse quhilk hes stand of long tyme betwix the realmes of Scotland and France, renewit and confermit be everie king and princes sen the tyme of Achaus kyng of Scotland and Chairlis the Maine king of France; and laitlie in thir dayis be our Soverane Laydie, and of Fransis last Kyng of France, as hie hes requerit be his speciall lettres, as the samyn at mair lenth proporttis. The quhilk men of weir can nocht gudlie be reasit without the realme be stentit; thairfore it is thocht expedient that of everie fourtie merk land of auld extent in this realme, als weill of our Soverane Laydeis awin propertie as the temporall and spirituall menis landis, togidder with all waird landis, terce and

[1] Act "Aganis regrataris and foirstallaris of mercatis"—Act. Parl. Scot. ii. 488; see also "off forstallaris"—1553, *ib.* 347; 1540 "Anentis forstallaris"—*ib.* 376.

conjunct fie landis, and landis in nonentres, thair be ane ebill sufficient fitman, weill furnischit, cled in new hoise, and ane new doublett of canves at the lest, with a jack of plett, steilbonet, splent slevis, of mailyie or plait, withe ane speir of six elne lang or thairby, be reasit to pass with thair generall corrowner and capitennis to that effect, to the said pairtis of France. Thairfore ordanis lettres to be derect to everie Scheref and Bailie within this realme, and thair deputtis, als weill generall as reale, als weill of speciall menis landis as temporall menis landis, charging tham that thai conveine the friehalderis of everie Schyir and Bailyarie foresaid, in the heid bruch of the Schyir, with all diligence possibill, and at the farrest betuix this and the xx day of December nix to cum, considdering it standis upon the hie plesour to the said maist Cristinit Kyng and honor of his realme; and thair retour all the saidis landis within thir Schyiris and boundis of thair offices, als weill our Soverane Laydeis landis as speciall and temporall landis, ward landis, terce and conjunct fie landis, and landis in nonnentres; and, conforme to the samyn, charge all the frie halderis thairof, that of everie xl merk land of auld extent, thay mak and furneis ane sufficient man weill bodin, for everie xl merkland of auld extent to be visiit, considderit, and rollit be the Capitane and Commissar that sall be derect to visie the samyn, gif thay be sufficient ebill or nocht; and everie man that is taxt to haiff his men to be presenttit at the heid bruch before the Schereff, Bailyies, Capitennis, and Commissaris foirsaidis bodin in thair gair, reddie to be rollit upon thrie dayis warning to be maid be the Scheref and the saidis Bailyeis of the speciall menis landis all to ane day and plaice, as the Scheref sall be advertisit be the Capitane and Commissar that sall be derectt thairfore, betuix this and the tent day of Januar nix to cum, under the pane of everie anar of the land for everie man that he presenttis nocht, xx lib. to be providit of the reddiest of his landis and guddis within the Schyir, without ony remitt to be tane up be the Scheref. And the Scheref, with avyise of the Commissar, to furneis ane mein thairfore, and the Bailyie of Regalitie siclyk within his boundis; and sua mony as beis sufficient and rollit, thair maisteris mony sal be haldin to bring tham to the maisteris to resave thair mony in Edinburgh, or to sic uthair place as thai sall be requeyrit be my Lord Governour and Counsall, under the pane of xx lib. to be tane of the maister; and the persoun rollit and nocht comperand to be punist to the deid quhar ever he can be apprehendit, haffand his expenses relesit of the xl merk land according to the distance of pleace. And gif the Lord neames his tennent and chargis to mak him in reddiness to compeir in maner foresaid, and the falt of his noncomperance consistis in the said tennent, it sall be liefull to his maister to puneis his tennentis in his persone and gudis at his plesour, and gif he beis fugitive and passis to his nychbour knawing him fugitive for that cause, the resett of him sall pay the xx lib. and sall be punischit at the will of my Lord Governour; and quhair happinis to be sindrie portioneris of landis within the Schyir, the Scheref sall adjown the samyn togidder, quhill he mak the fouretie mark land of auld extent; and gif ony of thir portioneris that hes maist land hes

ane ebill and sufficient man upon his landis, that man sall be taikin, and the leif of the portioneris sall contribiutt for the furnisching of his gere at the plesour of the Scheref. And gif thair be nocht ane abill man upon his landis, the maist abill sall be tane that is upoun ony of the saidis portioneris landis, and all the leif to contribiute in maner foresaid.

Item, it is devysit and ordanit that thair be reasit of the haill borrowis of this realme ane ansaingyie of fitmen, extending to thrie hunderithe men, and in sua far as is possibill, that all the thrie hunderithe men be hagbutterris, furnischit with powldir flask, morsing hornis, and all uthair geir belanging thairto. And ordanis the Proveist of Edinburgh to taxt the remanent of the haill borrowis as use is, provyding alwayis, that it sall nocht be ane tabroun, or suasche, to gang throw ony burch for sutting of men to the rest of the ansaingyeis, unto the xx day of December nixt to cum be bypast.

Apud Edinburgh, sexto Decembris, anno, etc. v^{c} quinquagesimo secundo.

The quhilk day, forsamekill as it wes divisit, statut, and ordanit of befoir, be the Quenis Grace, my Lord Governour, and Lordis of Secreit Counsale, that thair suld be rasit of the haill borrowis of this realme iij^{c} futmen, and all thai to be hagbutteris, weill furnist with pulder flask, morsing horne, and all uthair geir belangand thairto, gif it be possibill, and abilyeit with new hoise and new dublett of canvas at the leist, and samony as beis nocht furnist with hagbuttis, that thai be abilyeit as is abone writtin, furnist with jak, steilbonet, swerd, buklair, splentis, and slevis of plait or mailye, with ane speir of sex ellis lang or thairby, to pas to France for the support of the maist Cristin King in his weris; and that the Proveist and Ballies of Edinburch suld taxt the haill borrowis for completing of the said nowmer, as the act maid thairupoun at mair lenth proportis. Be vertew of the quhilkis, the Provest, Ballies, and Counsale of the said burch, hes maid ane taxt roll of all the remanent borrowis of this realme, and how mony men every burch suld furnis, as the said roll subscrivit be the commoun clerk of the said burch mair clerlie declaris; thairfor ordanis lettres to be direct to officiaris of the Quenis, Schereffis in that part, chargeing thame to pas to every burch of this realme, and thair commaund and charge the Provest and Ballies of every burch and ciete that ar taxt, that thai taxt thair nychbouris of the said burch, and haif the men reddy contenit in the said taxt roll—quhilk noumer salbe gevin to thaim in bill—weill bodin and furnist as said is, to be vesyit, considerit, and rollit be the Capitane and Commissar that salbe deput thairto, betuix this and the tent day of Januar nix to cum, under the pane of rebellioun and putting of thaim to the horne, with certificatioun to thaim and thai failye thai salbe put to the horne.

Act of the Commissaris.

It is divisit, statut, and ordanit be the Quenis Grace, my Lord Governour, and Lordis of Secreit Counsale, that thair be Commissaris deput our all partis of this realme to vesy the rolling of the futmen, devisit to pas in France for the support of the maist Cristin King in his weris, quhais names followis. That is to say, the Commissar in the lawland of Murray and boundis thairof, Alexander Innes of that Ilk; the Commissar for the scherefdome of Banff and boundis thairof, Sir Walter Ogilby of Boynd, Knycht; the Commissar for the scherefdomes of Abirdene and Kincardin and boundis of the samyn, Thomas Menzeis of Pitfoddellis; the Commissar for the scherefdome of Angus and boundis thairof, David Wod of the Craig; the Commissaris for the scherefdome of Perth fra Tay eist, the Lard of Inchmertyne, and fra Tay west, the Lard of Innerpeffray; the Commissar for the scherefdome of Fiff and boundis thairof, the Lard of Farny; the Commissar for the scherefdome of Kinross and Clakmannane, the Lard of Sauchy; the Commissar for Strivelingschir and boundis thairof, Maister Alexander Levingstoun of Donypace; the Commissar for Menteith and boundis thairof, James Dog of Dunrobin; the Commissar for the scherefdomes of Dumbertane and Renfrew and boundis thairof, the Capitane of Dunbertane; the Commissar for the scherefdome of Lanerk, the Lard of Carfin; the Commissar for the Balliery of Cunighame, the Lard of Caprintoun; the Commissar for Kile Stewart, the Lard of Bar; the Commissar for Kingis Kile, Duncane Craufurd; the Commissar for Carrik, the gudman of Ardmillane; the Commissaris for Galloway, the Lard of Corswell, abone Cre, and Walter Stewart, beneth Cree; the Commissaris for the scherefdome of Nythisdaill, the Lard of Auchingassill and Robert Maxwell of Cowhill; the Commissar for the scherefdome of Peblis, the Lard of Tracquair; the Commissar for the scherefdome of Selkirk, James Hoppringill of Tynness; the Commissar for the scherefdome of Lynlythquow, Matho Hammiltoun; the Commissar for the scherefdome of Edinburgh principall and boundis thairof, the Lard of Elphinstoun, for Edinburgh within the Constabulary of Haddingtoun and boundis thairof, the Lard of Wauchtoun; and that every of thir Commissaris direct to vesy the men of the schir, vesy alsweill the men stentit in borrowis, gif thai be abill and worth, as said is.

Apud Edinburgh, viij° Decembris, anno, etc. v°lij°.

The supplicatioun of Walter Ker of Cesfurd, the Lard of Pharniherst and thair collegis, gevin in to the Quenis Grace, my Lord Governour and Lordis of Secreit Counsel followis. My Lord Governour and Lordis of Secreit Counsel, unto your Grace humilie schewis: your Graces servitouris, Walter Ker of Cesfurd, Johne Ker of Pharniherst, and Andro Ker of Hirsel, Knychtis, that quhar we haif menit us unto your Grace and Counsale diverse tymes, and last of all at your Grace lait being in Jedburch anentis

the unhappy chance quhilk happynnit us in the suddane slauchter of the Lard of Bukclewch, and offerit us to do thairfor to the plesour of your Grace all that lay in our possibilliteis, our livis and heretaige being savit, as our supplicatioun bering the haill maner and fassoun thairof gevin in to your Grace and Counsel beris; quhilk at that tyme wes continewit to your Grace and Counsellis nixt conventioun in Edinburgh, and sen your Grace departing fra Jedburch, your Graces servitoris hes tane up all our houssis, possessionis, and gudis, swa that we haif na maner of thing to leiff upoun, bot giff we stele or reve to sustene us, our wyffis and barnis, nor dar nocht resort to freyndis to meyne us to, bot lyis in woddis and fellis, becaus we ar at the horne, and als for feir of other party quha hes cruellie sensyne slane diverse of our freyndis, saikles men of ony cryme done be us, as we doubt nocht bot your Grace and Counsel knawis, and siclik daylie sekis and persewis us, and all our freyndis, kynnismen, and servandis for our slauchterris; swa that nain of our freyndis in our name dar, for feir of thair livis, cum to kirk, mercat, nor to your Grace to meyn us for rameid thairof, quhairthrow we are put to sik miserie that without your Grace haif sum compassioun thairupoun, we and all owris, ar abill to be put to perpetuall rewyne. Heirfor we beseik your Grace for mercy, and sen at this tyme it standis with us at sik extremite as is abone expremitt, that your Grace will haif piete on us, and gif us grace; and salbe hartlie contentit to do and fulfill quhat thing your Grace and Counsel will divise to the plesour of your Grace, and syne to the party; and sall leif nocht behind that lyis in our possibiliteis thairanentis, our livis and heretaige being saifit as said is. With our hartis and service to your Grace for ever, and your Graces ansuer heirintill rycht hartlie we beseik.

The supplicatioun within writtin being red in presens of the Quenis Grace, my Lord Governour, and Lordis of Secreit Counsale, for ansuer it is thocht that thir compleneris and thair complices, samony as wes the slayaris of umquhile Schir Walter Scot of Brankisholme, Knycht, and presentlie at the horne for the samyn, salbe banist and remain in the realm of France, under sufficient cautioun, nocht to return agane furth of the samyn in this realme without speciale licence of my Lord Governour, and the autorite had and obtenit thairupoun; and als that ane or twa gentilmen of the Kerris that is the Quenis liege men, sall raise of the Kerris, and all utheris thair kin, freyndis—sa mony as will tak thair part within the boundis of the wardanrie of the Middle Merchis of this realme—ane hundreth horsemen, weill furnist, to depart to the partis of France, with the Generall, as utheris that ar to be rasit of this realme dois; the Scottis, thair freyndis, and allya being except. This ansuer being fulfillit realie and with effect, provision salbe maid for the sauftie off thir compleneris livis and heretagis, quhilk is the uter will and deliverance of the Quenis Grace, my Lord Governour, and Counsel.

Apud Edinburch, xij° Decembris, anno, etc. v°lij°.

The quhilk day, forsamekill as it is divisit and ordanit be the Quenis Grace, my Lord Governour, with avise of the Lordis of Secreit Counsale, that thair salbe certane horsemen rasit upoun the Bordouris and lawland of this realme to the nowmer of iiij° men, to pas in France efter the tennour of the act and ordinance maid thairupoun, berand quhat every Bischop, Abbot, Prior, and Prelatt, Erle, Lord, and Barrone sall furnis, as is at mair lenth and particularlie contenit in the taxt roll maid thairupoun; and for performing thairof, diverse of the saidis Prelattis and Kirkmen, Erlis, Lordis, and Baronis, hes convenit at this present Conventioun, and of fre will and benevolence hes grantit certane horsmen to the support of the said maist Cristin King upoun his expenssis, as said is, and uthairis that wer nocht present ar taxt be the remanent to furnis horsmen lik as utheris thair nychbouris hes done. And for dew executioun heirof, in cais ony contenit in the said roll prepair nocht the nowmer of men as thai ar stentit to, weill furnist with horse and geir as thai ar divisit to be, ordanis lettres to be direct to officeris of the Quenis, Schereffis in that pairt, to pas, require, command, and charge all and sindry Bischoppis and Prelattis, Erlis, Lordis, and Baronis quhais names salbe gevin in bill, togidder with the nowmer of the men at thair taillis, that thai ar taxt to personalie, gif thai can be apprehendit; and failzeing thairof, be oppin proclamatioun at the mercat cross of the heid burch of the schir quhair thai dwell; that thai and ilk ane of thame haif and prepair in reddynes habill and sufficient horsemen, weill furnist and grathit, as is statute and ordanit; that is to say, ilk horsman to have ane dowbill horse, with jak, steilbonett, splent, swerd, buklair, and speir of vj ellis lang, or thairby, and ilk ane for his awin part, conforme to the taxt roll maid thairupoun; and that this be done with all diligence, and thair men, horse, and geir be reddy to be presentit befoir the Schereff of the schir in the said burch of the samyn, and befoir sik Commissaris as salbe deput thairto upoun thre dais warning, to be maid be the said Schereff and Commissar and thair Deputis, to that effect thai mai retour the samyn agane to the Quenis Grace, my Lord Governour, and Counsale; that is to say, ilk Prelatt under the pane of the Princes uter indignatioun, every Erle, Lord, and Baroun, under the pane of rebellioun and putting of thame to the horne; and gif thai failze to put thaim to the horne and eschaett, and inbring all thair gudis movabill for thair contemptioun. And quhat gentilman or uther houshald man that duellis with ony of the saidis Prelattis, Erlis, Lordis, or Baronis in thair houshald or in thair land that beis requirit be thair maister to pas in the said partis of France, and be ane horsman furnist in maner forsaid—and gif he refusse to do the samyn—that the said Schereff, his Deputis and officiaris, Schereffis in that part, charge him, owther personalie or be oppin proclamatioun at the mercat croce of the heid burch, that thai and ilk ane of thame accept the said charge within xxiiij houris thairefter, under the pane of rebellioun. And gif thai failze, to put thame to the horne and eschaett, and inbring all

thair movabill gudis for thair contemptioun. And gif thai pas to the horne, to serche and seik thaim, and tak and apprehend thaim, and justify thaim to the deid as rebellis for thair contemptioun. And gif thai depart of the realme, ever to be utlawis, and banist, and never to gett respect nor remissioun in tyme to cum induring thair naturall lif; and quhat Scottis-man ressavis thaim within thair boundis in service or utherwais, salbe accusit as participant of thare inobediens, and punist in body and gudis as the principall.

Anent the supplicatioun gevin in be Gilbert Erle of Cassillis, Lieutennent Generall of the army divisit to pas in France, and Patrik Lord Ruthven, Coronet of the futmen; makand mentioun quhair thai, with thair kin and freyndis, ar to pas to the saidis partis of France for obeying of sik chargeis as the maist Cristin King thairof will imput to thaim; and that for setting fordwart of the honesteis and honour of this realme, mon charge sindry of thair freyndis to pas in cumpany with thame, quha hes sindry greit actiones dependand befoir the Lordis of Counsale and utheris jugis within this realme, quhilk in cais thai pas in the partis of France, mon prepair and mak thaim reddy, furnist as efferis, to gang in cumpony with thame, and thairthrow can nocht be present to the defending of thair saidis actiones, and in caise ony process be usit aganis thame, it will stop the maist part of the abill men of this realme to prepair and mak thaim reddy to pas to the saidis partis of France to the effect forsaid; desyrand thairfor the Quenis Grace, my Lord Governour, and Lordis of Secreit Counsale that thai wald devise, statut, and ordane that all personis passand, or preparand thame to pas, to the saidis partis of France, with all thair actionis present or to cum, suld be exemit and ceise, and rest quhill thair returning agane furth of the saidis partis of France, and xl dais thairefter. And to put inhibitioun to the Lordis of Counsale and all utheris jugis within this realme, to desist and ceise fra all proceding aganis thaim in the meyntyme, as at mair lenth is contenit in the said supplicatioun gevin in be thaim thairupoun. The quhilk desire the Quenis Grace, my Lord Governour, and Lordis forsaidis, thocht reasonabill, and ordanit and ordanis all actionis, present or to cum, for samony personis as preparis thaim and passis actualie in the partis of France, in service with the saidis compleneris, to rest and ceise, during thair remaning in the saidis partis of France, and xl dais efter thair returning hame agane furth of the samyn. Chargeing the Lordis of Counsale and all uther jugeis within this realme, to desist and ceise fra all proceding aganis thame in the meyntyme for the caussis abone writtin; providing alwayis, that the saidis compleneris gif in the names of thai personis to my Lord Governour and Consale forsaid that thai desire suld joise and brouk the priveleg of the said act and ordinance, to the effect that thai may be insert in the samyn befoir the furth gevin thairof; quhais names efter followis, that is to say, Gilbert Erle of Cassillis, Archibald Kennedy his bruther, Sir Hew Kennedy of Girvanemanis, Knycht, Patrik Lord Ruthven, James Ruthven his bruther,

Patrik Ruthven of Ardonache, William Moncreiff, young lard of that ilk, William Ruthven of Bandene, Thomas Ross of Cragy, James Ruthven, Patrik Murray of Tippermuir, Johne Murray his bruther, the Lard of Kynnard, the Lard of Bowse, Patrik Brisone, Alexander Bruse, Alexander Lyndesay, William Lyndesay, Edmond Moncreif, Allaster M^{c}Nab, William Strang, Johne Strang, Sir Robert Ostlar, David Lyndesay, George Maxtoun, Robert Hill, David Douglas, Johne Rutherfurd, Henry Murray, Thomas M^{c}Dik, Walter Ruthven, Alexander Ruthven, Henry Ruthven, Johne Burnet, Alexander Drummond, Creychtoun, James Levingstoun, James Thomsoun, Alexander Gardinar, Gilbert Gourlay, Henry Congiltoun, William Chyrnsyd, Richart Hepburn, Johne Berclay of Strowy, Robert Barclay his bruthair, Robert Hammiltoun, Dunkane Dundas, James Dog, Robert Cuynghame, James Ross, Johne Dodis, William Morisoun, Johne Chalmer, Robert Ross, Johne Loncarte, Johne Andersoun, Robert Blak, Johne Bonar.

Apud Edinburch, xiij Decembris, anno, etc. v^{c}lij^{o}.

The quhilk day, forsuamekill as it was devysit, statute, and ordanit be the Quenis Grace, my Lord Governour, and Lordis of Secreit Counsall that thair suld be reasit of the hieland pairtis of this realme, within the boundis of my Lord Huntleis lieeuttenendrie, tua ansaingyeis of fittmen, to pass with the rest of the ansaingyeis to France, to the support of the maist Cristinit Kyng of France in his weiris, lyk as in the actis and ordinancis maid thairupoun at mair [length] contenit; and to the effect that the said fittmen may be the mair abill and substantiouslie accomptirit with jack and plait, steilbonett, sword, bucklair, new hois, and new dowblett of cannvus at the lest, and slevis of plait or splenttis, and ane speir of sax elnes lang or thairby; it is thocht expedient that my Lord Huntlie, Scheref and Lieeutennent in they boundis, suld causit the said fittmen be reasit, and that he suld be Commissar in they pairtis, to visie, sie, considdir, and roll the samyn, sua that throw neckligence of lawbouris thair suld be na thing left undone that may performe the reasing of the said fittmen, Thairfore ordanis lettres to be dereck to officieris of the Quenis, Schereffis in that part, charging tham to pass, and command and charge all and sindrie Erlis, Lordis, Barronis, and utheris friehalderis within the boundis of the said Erlis leeutennentrie, that thay, and ilk ane of tham, bring and present thair men that thai ar to be taxt and stentit to, before the said Erle, Scheref, and Commissar deput thairto, at sic day and pleace as he sall appont to tham, ilk ane efferand to his awin pairt, under the pane of rebellioun and putting of tham to our horne, and eschett and inbring all thair movabill gudis to our Soverane Lordis use for thair contemptioun. And sua mony personis as beis rollit, and absenttis tham and beis fugitive, that all sic personis be denuncit rebell and putt to the horne, and all thair movabill gudis eschettit as said is; with power to the said Erle, his deputtis and officiaris, to serche and seik all sik personis rebellis, tak,

apprehend, and justifie tham to the deid; and gif ony persone or personis resettis ony sic personis rollit and fugitive as said is within thair boundis, and presenttis tham nocht to the said Erle and Commissar foirsaid, all sic resettaris salbe siclyk denuncit rebellis and put to the horne, and all thair movabill gudis eschetit for thair contemptioun.

The quhilk day, the Quenis Grace, my Lord Governour and Secreit Counsel, haifand respect to the greit exhorbitant derth that hes bene this lang tyme bipast in this realme of vittallis and vivaris, and understandand the occasioun thairof consistis throw the having off the cornis of this realme to uther cuntreis, and now ar advertesit that thair is diverse schippis, crayaris, and veschellis that ar laidin with quheit, beir, and utheris cornis, and ar to be laidin with sik stufe, quhairthrow apperandlie thair apperis ane greter derth nor of befoir; and for ramedy heirof, and stanching of derth in tyme to cum, it is concludit, devisit, statute, and ordanit, that nane of our Soverane Ladys liegis tak upoun hand to haif ony maner of cornis furth of this realme, owther be sey or land, in ony tymes to cum, without speciale licence of my Lord Governour had and obtenit thairupoun, under the pane of confiscatioun of all sik vittall and corne and remanent of thair gudis, and punissing of thair personis at my Lord Governouris will.

Apud Edinburgh, vigesimo Februarij, anno, etc. v^{c} quinquagesimo secundo.

Thir ar the artikills of the Lordis gevin in be the Lard of Prestoun to my Lord Governour and Lordis of Secreit Counsale, to avyse upoun, that answeris may be gevin thairupoun to the Wardanis of the Middill Merchis of Ingland.

In the first, anent the spering, fyling, swering, and delivering of every wrang sen the peax bigane, and plegis to be gevin thairfor; as for the answer heirto the auld custum and use betuix realme and realme, observit in tymes bigane, is to be observit in all tymes cuming.

Item, to find rameid for manswering; and for answer heirto ye sall schaw the ordinance and conclusioun takin be my Lord Governour and Secreit Counsale thairupoun of befoir, off the dait at Striveling the xxiij day of Merche, the yeir of God j^{m}v^{c}lj yeiris.

Item, anent the presoneris ransoms, for thai will reproif now at the dais of trew thairfor. As for ansuer heirto, it is thocht expedient that the Wardane of Scotland, gif this artikle be movit at the next conventioun, to inquire the Wardane of Ingland gif it be the Counsale of Inglandis mynd, to ask the samyn, and gif he will accord to payment and deliverance for the part of Ingland, to all persewaris heirupoun; and gif he will grant the samyn desyre, ane day to be prefixt for ingeving of all sik billis bayth for the part of Scotland and Ingland, upoun that Merche, that he may

thairby understand quhat command the Counsel of Scotland will gif in that behalff for ansuer thairto.

Item, to mak wardane deputis of cuntremen; ansuer to this the Lardis of Hundoley[1] and Bonejedburch[2] to be wardane deputis.

Item, to avise of the xxx billis, quhilk the Lard of Bucclewch tuk upoun hand to speir, fyle, sweir, and deliver, for quhat ye will do anent the delivering of samony of the billis as ar fylit and undeliverit; for answer of this, rollis mon be deliverit, and the maisteris of the offendaris mon deliver the offenderis, conforme to the band.

Item, to caus the Crosaris and Nixonis to gif in thair plegis for gud reule; ansuer of this referris to the bandis.

Item, anent the keping of Liddisdaill; for answer thairto, Robert Ellot, younger, for his gang, and Thomas Armestrang of Mangertoun, for his gang; and to compeir befoir my Lord Governouris Grace in Drumfreis to accept the charge, and to declair quhat surnames thai will ansuer for.

Item, to caus letteres to be direct to command and charge the Stow, Melrose, Selkirk, Hawick, Jedburch, and Kelso, that thai be in reddynes, bodin as efferis, to keip the dais of trew, quhilk ar to be haldin at the Coklaw, the first day of Merche nixtocum, and the fourt day of the samyn moneth at Eidam burne. As for ansuer heirto lettres salbe direct as is desyrit.

Item, that the gentilmen of the cuntre be chargit that thai bring men to be enterit in Ingland to releif the Quenis Grace, my Lord Governouris Grace, and the Wardanis of sa mony billis as ar fylit or to be fylit, according to thair bandis. As for ansuer to this, lettres sal be direct as is desyrit.

Apud Striveling, xiij Maij, anno, etc. v^{c}liij^{o}.

Presentibus, Regina et Gubernatore. Sederunt. Archiepiscopi —Sancti Andree, Glasguensis. Episcopi—Abirdonensis, Dunblanensis, Rossensis, Orchadensis, . Comites—Glencarne, Cassillis. Abbates—Kelso et Melrose, Dunfermling, Cowper. Domini—Erskin, Willelmus Hammiltoun de Sanchar. Clericus Justiciarie. Robertus Carnegy de Kynnard.

The Quenis Grace, my Lord Governour, with avise of the Lordis of Secreit Counsel, ordanis the Clerk of Register to extract and draw furth of all bukis of Parliament, and all utheris, bukis of Prive Counsel, all actis maid sen the Kingis deceis twiching the commoun weill and weilfare

[1] Nichol Rutherfurd. [2] William Douglas.

of this realme, and deliver the samyn, attentiklie subscrivit with his hand, to my Lord Thesaurar, to the effect that he may gar imprent thir actis; and ordanis my Lord Thesaurar to direck lettres our all partis of this realme, to mak publicatioun thairof, swa that na persoun may pretend ingnorance in tyme to cum.

Apud Striveling, xv^to^ Maij, anno, etc. v^c^lij^o^.

Presentibus, Regina et Gubernatore. Sederunt. Archiepiscopus Glasguensis. Episcopi—Dunblanensis, Orchadensis, Rossensis. Comites—Glencarne, Cassillis. Abbates—Dunfermling, Cowper, Culross, . Domini—Erskin, . Willelmus Hammiltoun de Sanchar. Clericus Justiciarie. Robertus Carnegy de Kynnard.

The quhilk day, forsamekill as the Quenis Grace, my Lord Governour, and Lordis of Secreit Counsel, understandand that all maner of cornis vittellis ar cumin doun, and ar sauld upoun reasonabill prices, and that the flesche, sik as beif and muttoun, hes bene at exhorbitant derth in tymes bigane, be reasoun of the multitude of strangearis that hes bene in this realme, quha of lang tyme departit; and yit standis at the said derth, nochtwithstanding the doun cuming of the cornis and vittellis forsaidis. And for repressing of the said derth it is divisit, statut, and ordanit that nane of our Soverane Ladyis liegis, of quhat sumever degre he be of, tak upoun hand to by or sell ony maner of beif and muttoun, bot of the prices following; that is to say, the haill best carcaige gers beif unspulyeit, of ony derrer price nor xxx s. the carcaige, and all uthair beif to be sauld of lawar prices conform to the gudnes thairof; the best muttoun bowk for vj s., the bowk unspulyeit; and all uther muttoun nocht sa gud to be sauld of lawar prices conform to the gudnes thairof; under the pane of deid, and confiscatioun of all thair gudis, that dois in the contrair. And to the effect that the said act and ordinance may be observit and kepit in tymes to cum, ordanis the Provest, Aldermen, and Ballies of every burch, als weill regalite as ryalte, to mak and direct certane Sercheouris and Visitouris of ilk mercat of flesche, in dew tyme of day and hour to be assignit be the Provest, Aldermen, and Ballies thairto, ilkane of thame within the boundis of thair burgh and toun; and thair, caus the said beif and muttoun to be sauld upoun the prices forsaidis indifferentlie to our Soverane Ladys liegis under the pane of xl lib., to be upliftit and takin of every Provest, Alderman, and Ballie forsaid, at ilk tyme thai be fund negligent in the premissis; and the said soum to be inbrocht to our Soverane Ladys use, for thair contemptioun; and that na flescheouris, nor uther personis, brek ony beif or muttoun unto the tyme that the saidis visitouris, sercheouris, and prisaris first vew and consider the samyn, and mak price thairupoun, under the pane forsaid; and that lettres be direct heirupoun to mak publicatioun heirof our all partis, in dew form as efferis.

[Follow two Acts, the one against forestalling, the other regulating the charges by craftsmen and keepers of inns. These Acts are repeated in the subsequent Minute of the 19th of June. There are some slight variations in the language, but the only material alteration is the insertion of the pecuniary penalty against Magistrates failing to enforce the Acts. The later Minute thus contains the Acts as revised.]

Apud Striveling, xvj° Maij, anno, etc. v°liij°.

Presentibus, Regina et Gubernatore. Sederunt. Archiepiscopus Glasguensis. Episcopi—Dunblenensis, Orchadensis, Rossensis. Comites—Glencarne, Cassillis. Abbates—Dunfermling, Cuper, Cowlrois. Dominius Erskene. Willielmus Hammiltown de Sanchare. Clericus Justiciarie. Robertus Carnegie de Kinnaird.

The quhilk day, in presens of the Lordis of Counsill, comperit Robert Lord Elphistoun, and schew and declarit how he, in his minoritie, hes sumpert hurt his leiving and heritadge, be reassoun of his yowtheid, and may hurt the samyn mair in tymis cumming; thairfore he was content and desyrit to be interdyttit fra all maner of alienationis, selling, or wadsetting of ony his landis or heritadges, or ony pairt thairof, or setting of takis thairof, lang or schort, or ony of his bailyareis, without the speciall consent and assent of Johne Lord Erskine, Johne Drummond of Inerpefrie Knycht, Robert Drummond of Carnock, and James Hammiltown of Haggis, or any tway of tham conjunctlie. The quhilk desyir, the saidis Lordis thocht reasonabill and hes interdytit and interdyttis the said Robert Lord Elphistoun fra all maner of alienationis, selling, and wadsetting of his landis, or heritadge, or ony pairt thairof, or setting of takis thairof, lang or schort, or of ony of his bailyareis, without the speciall consent of the saidis Johne Lord Erskine, Jhone Drummond of Inerpefrie Knycht, Robert Drummond of Carnok, and James Hammiltoun of Haggis, or ony tuay of tham conjunctlie, and hes interponit and interponis thair authoritie thairto; and ordanis lettres to be dereck to mak publicatioun and intimatioun heirof at the marcatt crossis of Striviling, Perthe, Aberdene, and uther places neidfull be oppin proclamatioun in dew forme as efferis.

The quhilk day, anent the artickill proponit be the Quenis Grace, and haill nobill men assembillit at this present, tuiching the puneisment of the cruell and odious slauchter of umquhile Sir Walter Scott of Brankisholme, Knycht, Wardene of the Middill Mertchis of this realme, foranentis Ingland, committit be Walter Car of Sesfowrd, Johne Car of Fairniehest, and Andrew Car of Hirsell, Knychtis, and thair complissis; and quhidder my Lord Governowris Grace suld puneis the samyn with the regour, conforme to the lawis of this realme, or accept the offeris of the saidis persones and resave tham in favoris, lyk as the said artikill mair langlie proportis. The Quenis Grace and haill nobillis foirsaidis, efter lang reason-

ing with matour deliberatioun, in respect of dyverse inconvenientis that may follow in caise the said cruell slauchter war punischit, and justice execute upoun the committeris thairof, hes declarit and declaris, that it is maist convenient and best to spair puneisment for the said cryme, and to except the offeris of the said personis, and to resave tham in my Lord Governouris will, to do thairintill as his Grace thinkis expedient for the commoun weill of this realm.

Apud Perth, decimo nono Junij, anno, etc. v^{c} quinquagesimo tertio.

Presentibus, Regina et Gubernatore. Sederunt. Comes de Huntlie Cancellarius. Archiepiscopi—Sancti Andree, Glasguensis. Episcopi—Abirdonensis, Moraviensis, Dunblanensis, Rossensis, Brechinensis, Cathanensis, Sodorensis. Comites—Angus, Ergile, Merschell, Glencarne, Cassillis, Erroll, Rothes, Montrose, Menteith, Autholie. Abbates—Prior Sanctiandree, Kelso et Melrose, Dunfermling, Cowper, Coldinghame, Halierudhous, Lundoris, Culross. Domini—Erskin, Flemyng, Ruthven, Semple, Forbes, Seytoun, Drummond, Innermaith, Sancti Johannis, Saltoun. Johannes Campbell de Lundy, Willelmus Hammiltoun de Sanchar, Equites. Clericus Justiciarie. Robertus Carnegy.

The quhilk day, the forsamekill as the Quenis Grace, my Lord Governour, and Lords of Secreit Counsel, being rememberit of the monyfald actis of Parliament, and diverse utheris actis and statutis maid in Prive Counsel, and uther wais proclamationis direct thairupoun for stanching of regrating, and forstalling of mercattis and faris, to the effect that all maner of gudis suld be first presentit to the mercat, and byd mercatt tyme of day, and sauld in plane mercat lik as in the actis maid thairupoun is at mair lenth contenit. Nochttheles the saidis actis and statutis ar nocht observit and kept, bot all gudis ar regratit, and all mercattis and faris forstallit, swa that na maner of gudis can be had nor coft bot at the thrid hand, to the greit velipentioun and lychtlying of the saidis actis. And attour, and for rameid heirof in tymes to cum, it is divisit, statute, and ordanit, that the saidis Actis of Parliament maid anent forstallaris and regratouris be observit and kepit, and put to executioun, to all poyntis efter the form and tennour thairof; and that lettres be direct our all partis of this realme, to mak publicatioun thairof at all places neidfull, sex dais befoir ilk fair in dew forme as effeirs. And becaus of the nixt fair callit Trinite Sounday fair, usit to be haldin in Brechin, is approchand, and mony gudis ar commonlie usit to be sauld thereat, ordanis Robert Carnegy of Kynnard to pas, vesy, se, and considder that the saidis actis be observit and kepit, and that all forstallaris and regratouris be serchit, socht, and apprehendit, and all gudis coft, forstallit and regratit be thaim, to be eschaetit and inbrocht to our Soverane Ladys use, and the brekaris of the saidis actis to be punist conform to the samyn, and panis contenit thairintill. And to the effect that the saidis actis may be ob-

servit and kepit in all tymes to cum, ordanis the Provest, Alderman, and Ballies of every burch and toun quhair ony faris or mercattis ar usit to be haldin, that thai, and ilkane of thame, sex dais befoir ilk fair day, send furth certane sercheouris and visitouris to se gif ony sik regratouris happynnis to cum to the saidis fairs and mercattis, and thair mak publicatioun of the saidis actis of parliament, and caus the samyn be observit and kepit in all poyntis, under the pane of tynsel of the Provestis office, and siclik the Ballies of thair offices, and j^{c} lĭ. usuale money to be upliftit of thair gudis and inbrocht to our Soverane Ladys use, als oft as thai failye in the executioun of this act.

The quhilk day, the Quenis Grace, my Lord Governour, and Lordis of Secreit Counsel, understand in the last parliament haldin at Edinburgh, the first of Februar the yeir of God j^{m} v^{c} lj yeris, thair wes ane act maid for the suppressing of the exhorbitant prices that every craftisman within burch rasis upoun our Soverane Ladys liegis, in all sik thingis as appertenis to thair craft, and siclik the exhorbitant prices takin fra our Soverane Ladys liegis within ilk burch and toun for thair ordinar, viz., dennar, supper and bedding, lik as the said Act of Parliament mair largelie proportis. And now seand all kynd of viverris and vittuallis ar cumin doun and sauld upoun reasonabill prices, quhairthrow sik derth suld ceis; nochtwithstanding the craftismen and ostillaris forsaidis, perseveris in thair oppressioun of our Soverane Ladys liegis, lik as thai did of befoir.[1] Thairfor it is statut and ordanit by the Quenis Grace, my Lord Governour, and Counsel forsaid, that the said act maid in the said parliament be observit and kepit in all poyntis, and that lettres be direct to mak publicatioun be oppin proclamatioun at the mercatt croces of all borrowis of this realme of the said act, and to the effect that the said act may be observit and kepit, hes ordanit thir Commissaris underwrittin to convene in every of the borrowis and tounis following, within thre dais efter the publicatioun of this act, and thair, with the Provest, Aldermen, or Ballies of every burch respective, se and consider how all viveris and vittellis are commonlie sauld, and of quhat prices, and according thairto mak reasonabill prices upoun every thing concerning the craftismen and thair craft, and inlikwyse to mak reasonabill prices to every ostillaris for ane mannis ordiner, viz., dennar, supper and bedding, that thai may hald thair awin, and our Soverane Ladys lieges nocht hurt throw the greit prices. And efter the making of the saidis prices, that the Commissaris, upoun the nixt mercat day thairefter, mak publicatioun of the samyn, swa that na craftismen nor ostlar may pretend ignorance fra thyne furth. Efter the saidis prices be maid and publicatioun thairof, ordanis the Provest, Aldermen, and Ballies of every burch, ilk ane within thair awin boundis, to caus the said proclamatioun and publicatioun of the prices forsaidis be observit and kepit be the craftismen and ostillaris forsaidis, under the pane of xl lĭ. to be

[1] 1551, c. 81, "Anent the exhorbitant prices rasit by Craftismen"—Act. Parl. Scot. ii. 487.

uptane and inbrocht of the Provest and Ballies gudis, als oft as he beis negligent in the premissis; and in likwyise, ordanis that all villages and throuchfair townis of this realme to use thaim, conform to the prices maid in the heid burchis of the schir quhair thai ly, and nocht to exceid the samyn under the pane of deid.

Apud Edinburgh, xxviij Augusti, anno, etc. v^{c}liij^{o}.

Presentibus, Regina et Gubernatore. Sederunt. Archiepiscopi—Sancti Andree, Glasguensis. Episcopus Moraviensis. Comites—Angus, Ergile, Cassillis. Abbates—Dunfermling, Cowper, Culross. Domini—Sympill, Flemyng. Clericus Registri. Clericus Justiciarie. Robertus Carnegy de Kynnard.

The quhilk day, anent the artikill proponit and commovit, twiching the office of wardanry upoun the West Merchis of this realme, foranentis Ingland, for the gud intertenement of the peax, and punischment of malefactouris; efter lang reasoning, my Lord Governouris grace havand respect to the commoun weill of this realme, and to the greit cummerris and expensis had and sustenit be Johne Maister of Maxwell, Wardane of the boundis forsaid, sen the deceise of umquhile Robert Lord Maxwell, his brother, in the said office,—hes offerit and offeris to the said Johne Maister of Maxwell, to accept the said office of wardanry upoun him, the soume of v^{c} ℔. yeirlie during our Soverane Ladys minorite and less aige, and to gif him sum uther reward, owther be benefice or sum uther casualite at the sicht of the Quenis Grace; and als to punis the personis offendaris unto him of late at his awin plesour and contentatioun, betuix this and the feist of Michaelmess nix to cum, or within vj dais thairefter. Nochtwithstanding, the said Johnne Maister of Maxwell declarit that he wes nocht hable to accept the said office upoun him, nor cum in the cuntre for the service thairoff, unto the tyme that the personis offendaris to the autorite and unto him wer punist, or that he war supportit with ane power sufficient for punischment of the samyn.

Apud Edinburgh, xxix Augusti, anno, etc. liij^{o}.

The quhilk day, the Quenis Grace, my Lord Governour, and Lordis of Prive Counsel,—haifand respect to the auld ancient service done be Johnne Maister of Maxwell and his predecessouris in the office of wardanrye upoun the West Merchis of this realme, foranentis Ingland, and how the said Johnne Maister of Maxwell is becumin under deidlie feid with diverse clannis of the samyn, or at the leist the maist part of thame, quhairthrow he is nocht sa habill to serve as of befoir, and that his uncle James Douglas of Drumlangrik, Knycht, is maist tender kynnisman to the said house, and maist qualifyt to serve in the said office, unto the tyme the offences done to the autorite and him wer repressit and put to syd,—hes namit the said Sir James to be Wardane of the said wardanry, and to use the office thairof in all thingis lik as utheris wardanis usit the samyn of befoir

in the meyntyme, and hes requirt the said Johnne Maister of Maxwell to assist, concur, and fortify the said Sir James Douglas in the furthsetting of our Soverane Ladys autorite in the using of the said office, and punischment of the personis that wald offend in the contrair, and that he suld stand hartlie content with the said Sir James to the acceptatioun of the said office upoun him; to the quhilkis the said Johnne Maister of Maxwell hes glaidlie accordit unto, and the saidis offendaris being punist, and the cuntre being put to rest and quietness, the said Sir James is contentit that my Lord Governouris Grace imput the said Johnne Maister of Maxwell in the said office agane at his Grace plesour.

The quhilk day, forsamekill as it is thocht expedient be the Quenis Grace, my Lord Governour, and Prive Counsel, that James Douglas of Drumlangrik, Knycht, suld accept upoun him the office of wardanry of the West Merchis of this realme, foranentis Ingland, lik as in the actis maid thairupoun is at mair lenth contenit—and to the effect that the said Sir James may be the mair hable to use the said office, and to ly als neir the Bordouris as he may gudlie—hes requirit Johne Maister of Maxwell to len the hous and castell of Lochmaben to the said Sir James during the tyme of his office of wardanry, to be usit be him for performing of the premissis; quha glaidlye wes content at the request of thaim to len the said hous of Lochmaben to the said Sir James during the tyme of his using of the office of wardanry, togidder with sic stuff and furnessing as belangis to the keping thairof, he beand satisfyt thairfor.

Apud Edinburgh, penultimo Augustj, anno, etc. v^{c}liij^{o}.

The Quenis Grace, my Lord Governour, and Lordis of Privy Counsel, haifand consideratioun of the gud, trew, and thankfull service done to the Quenis Grace our Soverane and hir realme, be Sir James Douglas of Drumlangrik, Knycht, aganis the auld ynemeis of Ingland; and that now the West Merchis of this realme and [are ?] brokin, and the wardanry thairof dymittit be Sir Johnne Maxwell of Terreglis, Knycht, of his awin express consent; thairfor hes ordanit and ordanis that ane commissioun be maid in our Soverane Ladys name, with avise of my Lord Governour of the office of wardanry of the West Merchis of Scotland, foranentis Ingland, with full power and commissioun of justiciary, within the haill boundis of the said Wardanry, gevand to the said Sir James the ane half of the eschaetis of thame that sal happin to be justifyt, and the uther half to the autorite; and als, hes grantit and consentit to deliver and caus be deliverit to the said Sir James the house of Lochmaben, with all and sindry landis, profittis, and commoditeis lyand thairto, to be broukit be him sa lang as he remanis Wardane of the saidis Merches, frelie, and sall caus sic securite to be maid that the said Sir James, his airis, nor na utheris with him being in cumpany, sall nocht be haldin to na party for intromissioun with the said house and profittis forsaidis; and to that effect, sall obtene

and gett sufficient rycht to the said Sir James fra the said Sir Johne Maxwell of Terreglis, Knycht, for him or as tutour to my Lord Maxwell, his broder sone that now is. Item, it is grantit and ordanit that lettres be direct to be proclamit at all partis necessar within the boundis of the said Wardanry, dischargeing all maner of personis of ryding or invaiding of ony persoun or personis within the boundis of the said Wardanry, owther for slauchter or for rasing of fyre or utherwayis quhatsumever, bot be express consent and assent of the said Sir James, Wardane—except that sik ryding or invasioun be maid upoun our Soverane Ladys rebellis—and gif ony dois in the contrair, to be callit and accusit as brekaris of the cuntre, and to be punist for the samyn with all rigour in exempill of utheris. And gif ony personis dois in the contrair, in caise the parteis invadit or thair freyndis happynnis thairthrow to committ ony attemptate or wrang, the said Sir James, Wardane, sall nocht be haldin for ordoring of thir wrangis or attemptattis, bot the autorite to put rameid thairto as may be thocht best be the Counsell. Item, in likyse hes consentit and ordanit, that lettres be direct chargeing all maner of personis within the boundis of the forsaid wardanry, to rise, convene, and meit the said Sir James at all tymes and places to be appoyntit be him, for keping of dayis of trew, or for taking and punissing of ony trespassouris within the wardanry, under the pane of deid, and eschaeting of thair movabill gudis for thair contemptioun; and that our Soverane Ladys liegis obeyyis the said charge, als oft as the said Sir James be himselff, his deputis, or officiaris, caus proclamatioun be maid at places usit and wont to the effect forsaid, under the panis abonewrittin. And attoure, haifand considerationn, as said is, of the said Sir James gud service, done and to be done in exerting of the said office of wardanry, ordanis our Soverane Ladys Thesaurar, and Thesaurar Clerk, to content and pay, and thankfullie deliver, to the said Sir James, yeirlie, so lang as he broukis the office of the said wardanry, the soume of v^{c} lĭ. money of this realme to be payit to him at twa termes in the yeir; that is to say, Sanctandrois day and Midsomer be equale portionis, begynnand the first payment at the feist of Sanctandro nixt to cum, and our Soverane Ladys Thesaurar and Thesaurar Clerk to gif thair speciale oblissing, conjunctlie and severalie, to the said Sir James, to be actit for the samyn in the bukis of Counsell; and the foresaid soume to be payit ay and quhill the autorite gif to the said Sir James reward upoun the knawlege of his gud service of the soume of j^{m} merkis yeirlie in benefice or benefices, pensioun, or uthair casualite, to the availl of the said soume of ane thousand merkis, be yeir; quhilk being gevin the said Sir James to haif na ferther payment of the forsaid sowme of five hundreth pundis. Item, the Quenis Grace, my Lord Governour, and Lordis of Preve Counsall—and be consent of oure Soverane Ladeis Thesaurar, being present—dischargeis and quiteclames the said Sir James in oure Soverane Ladeis name, of all actioun that his Grace had or may haif aganis him, for ony deforcementis, brokin of arrestis, or as being at the horne, or ony uthair actioun quhatsumever, for ony cause bygane, unto this

day, quhairthrow the said Sir James persoun mycht be wardit or punist, his gudis, takis, roumes, or possessionis, gudis movable or unmovable, mycht becum in our Soverane Ladeis handis or his successouris, or ar becumin. And ordanis lettres to be direct relaxand the said Sir James fra all proces of horning for ony caus bygane, and als ordanis the collectouris present haifand pouar thairof to gif dischargeis to the said Sir James in sa far as concernis his landis, heretage, or roumes, possessionis, or takis, and will and grantis that this present act be in likewyise discharge to the said Sir James, but prejudice of the forsaid discharge to be gevin him be the collectouris as said is.

In presens of the Quenis Grace, my Lord Governour, and Lordis of Secreit Counsell, comperit ane maist reverend fader in God, Jhone Archbischop of Sanctandrois, Thesaurar to oure Soverane Lady, and Robert Carnegy of Kinnarde, Thesaurar Clerk, and at the command of my Lord Governouris Grace, as Thesaurar and Thesaurar Clerk officiaris, and band and oblist thame, thair airis, executouris, and assignais, conjunctlie and severallie, to refund, content, and pay to ane honorable man, Sir James Douglas of Drumlangrik, Knycht, Wardane of the West Merchis of this realme, fornentis Ingland, his airis, executouris, and assignais, the sowme of v^{c} lib. usuale money yeirlie, and ilk yeir at twa termes in the yeir; that is to say, the feist of Sanctandrois day and Mydsomer nixt efter following, sa lang as he bruikis the said office of wardanrie; the first termes payment to be and begin at the feist of Sanctandrois day nix to cum, and sua furth yeirlie induring the said space; and for the mair securite ar contentit that this, thair obligatione, wer registrat in the buikes of Prive Counsell, and to haif the strenth of ane act and decreit of the Lordis thairoff, and thai to interpone thair auctorite to the samyn; and that lettres be direct to poynd and distrenye thame conjunctlie and severallie, thair landis and gudis, for the said sowme yeirlie, during the said spaice, in form as efferis; and the said Maist Reverend Fader oblissis him to releif the said Robert at the handis of the said Sir James, anent the payment of the said sowme in forme as efferis.[1]

Apud Edinburgh, viij Junij, anno, v^{c}liij^{o}.

In presens of the Lordis of Counsell, comperit James Douglas of Drumlanrik, Knycht, and schew how ane Maist Reverend Fader in God, Johnne Archbischop of Sanctandrois, Thesaurar for the tyme to our Soverane Lady, and Robert Carnegy, Thesaurar Clerk for the tyme, at command of my Lord Governour become actit to him for payment of the sowme of v^{c} li. yeirlie and termlie at twa termes in the yeir, viz., Sanctandrois day and Midsomer, sa lang as he broukit the office of wardanry of the West Merchis

[1] In a handwriting different from that of the Record occurs this marginal note:—viii Junii, anno, etc. v^{c}liiii, deletur presens actus de consensu Jacobi Douglas de Drumlanrik.

of this realme foranentis Ingland, and confessit that thai had payit him of all termes precedand the dait heirof, and that he had left the said office of wardanry, and thairfor wes contentit that the said act wer deleit and put furth of the saidis bukis for ever, and desirit the saidis Lordis to interpone thair autorite to the samyn; the quhilk desire, the saidis Lordis thocht reasonabill, and ordanit and ordanis the said act to be deleit and put furth of the saidis bukis, and the samyn to be extinct for ever, siclik as and the samyn had never bene maid, and never to haif strenth, fayth, force, nor effect in jugement, nor outwith in tyme to cum, and hes interponit thair autorite to the samyn, and ordanis lettres to be direct heirupoun, gif neid be, in forme as efferis.

Apud Edinburcht, xviij Septembris, anno, etc. v^{c}liij^{o}.

Presente, Domino Gubernatore. Sederunt. Archiepiscopus Sancti Andree.[1]

The quhilk day, my Lord Governour and Lordis of Secreit Counsell, being informyt of lang tyme bipast of the greit and hie enormiteis, slauchteris, reiffis, spulyeis, and oppressionis committit in the north partis of this realme, and specialie betuix the Erle of Cathnes and M^{c}Ky, and thair kin, freyndis, allia, and partakaris; and for stanching thairof, my Lord Governouris Grace direct his writingis and chargeis to George Erle of Cathness, to cum to the burch of Invernes, and thair to haif mett with George Erle of Huntlie, Lieutennent Generall in thar partis, and ane reverend fader in God, David Bischop of Ross, at ane certane day of lang tyme bipaste, for his avyse and counsell to be had with thaim for putting of ordour in the cuntre, and suppressing of the saidis attemptattis, to the effect that gud reule may be had in tyme to cum. Notwithstanding, the said Erle of Cathnes, on na wyse, wald compeir at the day appoyntit to him, in the said burch, nor yit send his ansuer to my Lord Governour, nor adverteise the said Lieutennent and Reverend Fader nowther in writt nor word, schawand him thairby nocht myndit that quietness be had in thai partis, bot rather the brek of the cuntre. Thairfor it is divisit, statute, and ordanit be my Lord Governour and Lordis of Secreit Counsell, that lettres be direct to Officiaris of Armes to pas, command, and charge the said Erle of Cathnes to the said burch of Invernes, the day of nix to cum, and thair meit the said Lieutennent and Reverend Fader to the effect forsaid; and als, to bring with him sufficient plegis to ly for him, his kin, freyndis, allya, and partakaris, for observing and keping of gud rewle and ordour in the said cuntre in tyme to cum, under the pane of rebellioun and putting of him to the horne; with certificatioun to him and he failye, that lettres salbe direct to put him to the horne for his contemptioun.

[1] No other names are entered in the Record.

Instructionis for Ross Herald to be schawin to Monsieur Nowellis, Ambassadour for the maist Cristin King in Londoun.[1]

In the first, to schaw him quhow the Bordowris of Ingland dayly ridis in Scotland, upon the fronteris of the samyn, takand heirschippis of gudis, committand slauchteris and utheris gret crymes and wrangis upon the liegis of this realme, quharof thir Wardanis can get na redress, quhilk apperis manifestlie to move occasioun of weir betwix the realmes, gif haisty remeid be nocht providit and ordour put thairto; and specialie to schaw how ane Capitane of Norhame, tua yeir syne or thairby, viz., in the end of Junii $j^{m}v^{c}$ and lj yeris, schot artailyery at the Lord Humis fischearis of his salmond fisching upon Tueid in Haliweill, and put tham fra the fischeing thairof, and continualie sen sine, the said Capitane of Norhame occupys and withhaldis the samyn fischeing, fischis, and applyis the fischis thairof to his awin use, quhairof the Lord Hume can get na redress. Howbeit, Mr. Gray of Chillinghame, Wardane of the Est Bordouris of Ingland within the boundis of quhayis office the said Capitane of Norame reiffar of the said fyscheing duellis, hes bene diverse tymes requirit thairfor, alsweill be my Lord Governouris awyn speciall wrytting, as be the wardanis of Scotland foranente him; nochtwithstanding that the samyn fyscheing of Halyweill wes, at the confirmatioun of the last trete of peax betuyx the realmes be the Commissioneris of Scotland and Inglande, depute thairto, realie be virtu of the said peax restorit to the Lord Hume and his possessioun the xxiij day of Junii, the yeir of God forsaid, and he sufferit peceablie to occupye and laubour the said fyscheing thairefter be the space of viij dayes.

Item, the said Mr. Gray of Chillingame, being for the tyme Wairdane depute of Ingland, upoun the Est Merchis of the samyn, lyk as he is yit, Cuthbert Musgray Capitane of Harbottil Castell in Inglande, came in the moneth of July last bypast with ane gret cumpany of Inglische men to the nomer of fyf hundreth men, upon fair day lycht, at x houris afore none, to the landis of Yettom and Kirkyettom in Scotland, and thair reft and had away with thame threttе fyve hundreth scheip, fyve hundreth nolt, and as yit withhaldis the samyn, quhairof the said Mr. Gray will mak na redress, he being wairdane depute of Ingland in thai partis, bot quhen he wes requist thairfor be the wardane of Scotlande, maid ansuer that he wes commandit to tak thai gudis pertenyng to Scottismen within the landis forsaidis be the Lord Quhertoun, generall lieutennent and wairdane depute of all the Merchys of Inglande anentis Scotland, under the Duke of Northumberland; and howbeit he hes sensyne bene requirit to redress the samyn be my Lord Governouris awyn speciall wryttingis, yit he will mak nane.

Item, the Capitane of Warke upoun the xxiiij day of August last bypast, that samyn day being appointit ane day of trew and meting of the Wair-

[1] Nicolas de Neufville, Sieur de Villeroy.

danis of Scotlande and Ingland at Roddane burn, place accustomit to convene at dayis of trew upoun thai Merchys, come with ane gret cumpanye of men to the nomer of vj^{xx} and ma to the landis of Haldane within Scotlande, nocht half ane Scottis myle fra the said metynge place of Roddane burne, and scant tua houris afore the meting of the Wardanis, and cruellie slew Patrik Jamesoun and Jhone Davidsoun, Scottismen, quhairof apperit to haif followit occasioun of ane grett truble, haistelie be meting of the saidis Wairdanis, starklie accumpanyit as thair use is at sic metingis sa suddanlie efter the said slauchter, and sa near the place quhair it wes committit, the hale kin and frendis of the men that wes slane being accumpanyit with the Scottis Wardane; quhairof as yit thair can be na redress had for na requisitioun that the Wardane of Scotland can mak, nor yit for my Lord Governouris awyn speciall wryttingis send be the Wairdane of Inglande thairupoun. And to desyre the Ambassatour forsaid to schow thir thingis to the Queen of Ingland and hir Counsale, and to declair to thaim how the Bordouris of Ingland, or at the leist sum of thame that ar of evill nature and indispositioun, inemyis to peax and quietnes, inclynit to stouthe and reif, accustomit to leif thairupoun dalie and nychtlie, makis invasioun upoun this realme, sumtyme in ane part thairof, and sumtyme in ane other, with gret cumpanyis of men togidder in plane reif, heirschippis, and slauchterris, als weill in plane day lycht as in the nycht, sumtyme xx myles within Scotland in plane forraying, tendying alway, be all the craft thai can, to provoke the liegis of this realme to do siclyke, and thairthrow to mak occasioun of weir, contrare the myndis of the Quennis and Counsalis of baith the Realmes; and thairfor, to perswaid the Queen and Counsale to direct Commissioneris, tua, thre, or foure of Inglandis men, to meit ane lyke nomer Commissioneris for Scotland, at convenyent day and place, als schortlie and haistelie as he may gudlie upoun the Bordouris, for redressing of sic attemptatis, stancheing of malefactouris, and ordorying of the Bordouris, manteinance of the peax and quiet of the liegis of baith the realmes; and gif this be refusit, that the Ambassatoure mak the Kyng advertisment thairof.

Item, in caise it be ansuerit to the Ambassatoure of France be the Counsale of Inglande, that this fyscheing of Halyweill in Tweid hes bene in all tymes of peax fyscheit be the Capitanis of Norhame, becaus it lyis neir the wall of the castell, and that my Lord Hume got, bot allanerlie in tyme of peax, ane dewite of sylver payit to him thairfore be the Capitane of Norhame, in name of maill or ferme allanerlie; in that caise the Herald foresaid sall informe the Ambassatour that the Lordes of Hume, be thair selffis and thair servandis, Scottismen, in all tymes of peax bypast, fyscheit and occupyit thair fyscheing of Halywele, als neir the wall of Norhame as thai do now, and brocht the fysche thairof dalie and continuallie away in Scotlande, but anye stop or truble of Inglischemen; and that the samyn wes never set to the Capitane of Norhame bot

allanarlie at ane tyme be the Lord Hume that last decessit for the space of ane yeir, for payment of ane certane sowme of money; quhilk assedatioun wes, lyk as all sic assedationis war and is, unlefull and forbyddyn be the lawis of this realme that ony Scottisman sall set onye of the Quennis dominionis or possessionis to ane Inglische man, or onye Inglische man sett the Quene of Inglandis dominionis to ane Scottisman; and sua upoun ane assedatioun of ane yeir tak maid in maner foresaid, but consent or knawlage of the authorite or counsale of Scotlande, unlefullie be ane private persoun, can never the Quene of Inglande nor hir Capitanis of Norhame Castell, pretend rycht within the Quene our Soverane Ladyis possessionis and dominionis.

Item, in caise it be allegit be the Counsale of Inglande to the Ambassatoure, that the gudis takyn be the Inglische men furth of the landis of Yettom and Kirkyettom townes war justlie takyn upoun the fronteris, becaus thai war pasturit and kepyt within the Merchis of Inglande, and thairfore eschaet and justlie takyn away be Mr. Gray forsaid, of the severall ground of Inglande; in that caise to informe the Ambassatoure that supponand thai had bene fand pasturand upoun the several ground of Inglande—as thai war nocht indeid, bot takyn of the several ground of Scotlande,—yit he mycht on na wyise eschaetit thaim, nor hald thai thame langar be the lawis or customes of the Bordouris, bot quhill thai had payit ane grott for the heid off ilk peax for thair poindlaw.

Item, gif it happinnis to be allegit to the Ambassatour, that the Scottismen war slane be the Capitane of Wark in his defence and thair persute within the severall ground of Inglande, the Heralde sall informe him that thai war slane and tane up deid upoun the severall ground of Scotlande, nother pleyable nor debatable, ane gret way within the peceable Marche of Scotland, in defence of thaim self and thair cornis, that the said Capitane and his cumpany war etand with thair horsis.

Item, in caise the Quene and Counsale of Inglande condiscend to aggre to said Commissioneris to the Bordouris; desyre the Ambassatour to knaw the namys of thame sall cum for the part of Inglande, and cause him name for this realme men of sic estait as thai name; that is to say, for Byschopis, Murray, Dunblane, Orknay; for Erllis, Marschell, Rothes, and Cassillis; Knychtis, Sir William Hammiltoun of Sanquhair, Jhone Maxwell of Tarreglis, Matelande of Lethyngtoun, Andro Jhonestoun of Elphinstoun, Robert Carnegye of Kynnarde, M^{r} Jhone Ballenden of Auchtnowle, Maister James M^{c}Gill of Balgawys, Master David Borthuik of Lochill; sua that sa mony of the personis abonewryttin sall convene and meit with so mony as thai sall caus cum doun for the part of Inglande of semblabull estait.

The quhilk day, forsamekill as my Lord Governouris grace and Lordis of

our Secreit Counsale, understandand that Alexander Dunbar of Cumnok, Schereff of Murray, on that ane part, and Alexander Cuming of Alter on that uthir part, for revengeing of auld deidlie feidis and quarrellis depend-and amangis thame, nocht onlie persewis utheris, bot als makis continewall and daylie convocationis and gadderingis of thair kin, freyndis, allia, assistaris, and parttakaris; quhairthrow the haill cuntre and boundis adjacent thairto is in reddines to brek, be the quhilk greit inconvenienttis may follow thairupone; and for stanching thairof in tymes to cum, it is divisit, statute, and ordanit, that lettres be direct to officiaris of the Quenis, Schereffis in that part, chargeing thame to pas, command, and charge the said Alexander Dunbar, Schereff of Murray, on that ane part, and the said Alexander Cuming of Alter, on that uther part, to enter and deliver thir personis underwritting in plege to my Lord of Huntlie, Lieutennent of the North partis of this realme, to remane with him in keping, for keping of gud reule in the cuntre in tyme to cum; That is to say, the said Alexander Dunbar of Cumnok to entir and deliver to the said Erle Lieutennent forsaid, Patrik Dunbar his eldest sowne and apperand air, and the said Alexander Cuming to deliver and enter in plege as said is to the said Erle, James Cuming his second sowne—within thre dais nix eftir thai be chargeit thairto, under the pane of rebellione and putting of thame to the horne; and failyeing thairof, the saidis thre dayis being bipast, to put thaim to the horne, and eschaett and inbring all thair movable gudis for thair contemptioun; and in likwyise to charge the said Patrik Dunbar, and the said James Cuming, to enter thaim selffis as plegis foirsaidis, within the said space, under the panis foirsaidis, and als to command and charge the said Erle of Huntlie, Lieutennent forsaid, that in caise the personis abone writting contempnis the chargeis abone expremit and pas to the horne, that he assist and concur with the Quenis officiaris in sercheing and seiking of the saidis rebellis movable gudis, and inbring the samyn as said is, and in lik maner to serche and seik thair personis, tak and apprehend thame quhairevir thai can be fundin, and bring thaim to the law, to be punist for thair demerites. And gif neid be, ordanis the said Lieutennent to raise ane army of folkis within the boundis of his Lieutennandry for performing of the premissis, and alswa ordanis lettres to be direct to command and charge the inhabitantis of the toun of Fores to desist and ceise fra ony ridding or ganging in feir of weir with the said Schereff, or mak convocatioun of oure Soverane Ladyis liegis, owther to invaid or persew ony maner of persone or personis outwith thair awin toun, or borrow ruddis of the samyn, in ony tymes to cum, under the pane of confiscatioun of all thair movable guidis, and punisching of thair personis, at my Lord Governouris will, for thair contemptioun.

Apud Lynlythquow, xj Januarij, anno, etc. liij°.

The quhilk day, my Lord Governouris Grace, with avise of the Lordis of Secreit Counsell, for the haisty depesche of my Lord of Ross, Secretar, to

the partis of France, and for the cunyeing of certane stanis of silver veschell, that he hes for his expenssis in sic necessar effaris, concerning the commoun weill of this realme; ordanis my Lord Thesaurar to deliver furth the prenting irnis that imprentis the babeis to the Maister Cunyear, and caus him to imprent the samyn in babeis, nochtwithstanding ony uther ordinance maid in the contrair; with the quhilk my Lord Governouris Grace hes dispensit and dispenssis be thir presentis allanerlie.

The quhilk day, my Lord Governouris Grace, with avise of the Lordis of Secreit Counsell, ordanis James Aitchesoun, Maister Cunyear, to ressave the prenting irnis of the babeis fra my lord Thesaurar, according to the charge gevin to him thairupoun; and siclik, to ressave in [ane?] certane silver veschell, of my Lord Secretaris, now passand to France for the commoun effaris of the realme, and cunye the samyn incontinent in babeis, for furnessing of his expenssis, nochtwithstanding ony uther act maid in the contrair of discharge of babeis; anentis the quhilkis my Lord Governouris Grace dispenssis in this caise allanarlie.

Apud Edinburgh, xxij Januarij, anno, etc. liij°.

The quhilk day, my Lord Governouris Grace, with avise of the Lordis of Secreit Counsell, ordanis James Aitchesoun, Maister Cunyeour, to imprent all silver to be brocht and deliverit to him be ane Venerabill Fader in God, William, Commendatour of the abbay of Culross, Comptrollar to our Soverane Lady, in babeis; providing alwais that the silver inbrocht or to be inbrocht to the cunyehouse be my Lord of Ross, Secretar to our Soverane Lady, be first cunyeit in babeis, conforme to the ordinance maid thairupoun of befoir; and gif the said Bischop of Ross hes nocht the said silver reddy to be cunyeit as said is, ordanis the said James to ressave the silver to be inbrocht be the said Venerabill Fader in tymes to cum, and to cunye the samyn in babeis as said is, nochtwithstanding the act maid thairupoun in the contrair; anentis the quhilk my Lord Governouris Grace dispenssis with him thairupoun.

Apud Edinburgh, xxj Januarij, anno, etc. v°liij°.

Be it kend till all men be thir present lettres, us, Walter Ker of Cesfurd, Johnne Ker of Pharniherst, Andro Ker of Hirsell Knycht, Gilbert Ker of Greneheid, Johnne Ker of Corbethous,—for our selffis, our kin, freyndis, servandis, allya, assistaris, and partakaris, to haif assurit, and be the tennour heirof assuris, William Cranstoun of Smalem Knycht, Robert Scott of Allanehaucht, Robert Scott of Wanfra, Robert Scott of Howpaslett, Walter Chesolme of that ilk, Walter Scott of Lyntoun, Walter Scott of Edschaw, William Scott of Harden, William Scott of Tuschelaw, Adam Scott of Birnfutt, William Scot of Bolden,—thame, their kyn, freyndis, servandis, allya, assisteris and surname, partakaris, to be unhurt, unharmit, unvexit, untrublit, and unpersewit, be us, our kin, freynd, servandis, allya, assistaris,

and parttakaris, in thair personis, bodys, gudis, rowmes, takkis, stedingis, and possessionis, in the law or by the law, for ony actioun or caus bigane precedand the day of the dait heirof unto the xv day of Aprile nix to cum, to the effect that gud wayis may be had amangis us parteis in the meyntyme; and heirto we bind and oblise us and every of us, be the fayth and trewth in our bodys, the haly evangelists tuichit, to observe and keip the said assurance and all poyntis contenit in the samyn, under the panis of perjure and infamite for ever; and the party brekand this assurance never to be reput nor haldin ane honest man, nor to resort amangis uthairis honest men, bot to be haldin vyle and abhominabill fra thyne furth for evir, during the tyme of the said assurance; in witnes heirof we haif subscrivit this our assurance with our handis at Edinburch the xxj day of Januar the yeir of God j^{m} v^{c} and fifti thre zeris: Walter Ker of Cesfurd, Johne Ker of Pharniherst, Andro Ker of Litildane, Gilbert Ker of Greynheid.

[This bond of assurance is followed by another in the same terms, granted by] Nicholace Rutherfurd of Hundolee, Johnne Rutherfurd of Hunthill, Thomas Trumbill of Betheroull Knycht, Hectour Trumbill Tutour of Mynto, David Trumbill of Wauchop, James Ormistoun of that ilk, Richart Rutherfurd of Edyarstoun, George Ruderfurd of Langnewtoun, William Cranstoun of Smalem Knycht [their kin, freinds, and servants], in favour of Walter Ker of Cesfurd, Johnne Ker of Pharniherst, Andro Ker of Hirsell Knycht, Gilbert Ker of Greynheid, them, their kin, friendis, servants, allies, assisters, surnames, and all others their partakaris. [Appended to the bond are the following subscriptions, which, however, are not autograph]—

William Cranstoun of that Ilk, Knycht.
James Ormistoun of that Ilk, with my hand at the pen led be Johnne Wallace, notar publict.
Richart Rutherfurd of Egyarstoun, with my hand led at the pen be Johnne Wallace, notar publict.
Johnne Rutherfurd of Hunthill, with my hand, the pen led be Johnne Wallace, notar publict.
Thomas Trumbill of Betheroull, Knycht.
David Trumbill of Wauchop.
Nichol Rutherfurd.
Hectour Trumbill, tutour of Mynto, with my hand at the pen led be Johne Wallace, notar publict.

Vigesimo secundo Januarij.

Thir ar the names namit be my Lord Governouris Grace and Counsell, to be plegis for the Kerris for keping of gud rewl, bayth anentis Scotland and Ingland: In the first, Andro Ker, bruther germane to the Lard of Cesfurd, Walter Ker, sone and apperand air to Sir Andro Ker of Hirsell, Knycht; and thairfor the Lordis ordanis the said Walter Ker of Cesfurd,

Johne Ker of Pharniherst, Andro Ker of Hirsell, Knychtis, Gilbert Ker of Greynheid, to enter the saidis twa plegis within xxiiij houris efter the charge, in the Castell of Edinburgh, thair to remane as plegis for gud reule for the remanent of the Kerris, thair kin, freyndis, allya, assisteris, and partakaris; or ellis that the saidis Sirs Walter, Johnne, Andro, and Gilbert, enter thaim selffis in ward in the said castell within the samyn space, under the pane of tresoun.

Item, for the Rutherfurdis: Johnne Rutherfurd of the Know for the sons of Hunthill; Bartilmo Rutherfurd of the Grange for the Lard of Hundoley; Charlis Rutherfurd, Johnne Rutherfurd sone of the Grene, for Edyarstoun; for the Lard of Wauchop, Thomas Trumbill; for Watt Trumbill of Howatt, Archie Trumbill, his sone and air; for Badderoull, William Trumbill of Hassindane Kirk or George Trumbill of the Tour; and for the Lard of Mynto, George Trumbill of Standhill; and for the Lard of Ormestoun, Andro Ormestoun his brother.

Nicholl Rutherfurd of Hundolee, John Rutherfurd of Hunthill, Richard Rutherfurd of Edyarstoun, James Ormestoun of that Ilk, William Cranstoun of Smalehame Knycht, Robert Scott of Allanhaucht, Thomas Scott of Hanyng, Thomas Trumbill of Bethirroule, Hectour Trumbill, Tutour of Mynto, Walter Chesolme of that Ilk. My Lord Governour, with avise of the Lordis of Secreit Counsell, ordanis thir personis abone writtin to enter plegis, every of thame for thaim selff, and thair freyndis, to my Lord Governour and Counsel, sik personages as salbe thocht expedient be thaim, for keping of gud reule bayth anentis Scotland and Ingland; or utherwayis, that thai, and every of thaim, pas and enter thair personis in ward in the Castell of Edinburch, or thair departing furth of this toun, under the pane of tresoun; and ordanis the saidis personis to cum efter nowne, and ressave thair lettres of ressait in ward in the said Castell as use is.

The quhilk day, my Lord Governouris Grace, with avise of the Lordis of Secreit Counsel, ordanis James Aitchesoun, Maister Cunyeour, to imprent all silver to be brocht and deliverit, be ane Venerabill Fader in God, William Comptrollar to our Soverane Lady, in babeis; providing alwayis the silver inbrocht or to be inbrocht to the cunyehous be my Lord of Ross, Secretar to our Soverane Lady, be first cunyeit in babeis, conforme to the ordinance maid thairupon of befoir; and gif the said Bischop of Ross hes nocht the said silver reddy to be cunyeit as said is, ordanis the said James to ressave the silver to be inbrocht to the said Venerabill Fader in tymes to cum, and to cunye the samyn in babeis, as said is, nochtwithstanding the act maid thairupon in the contrair; anentis the quhilkis my Lord Governouris Grace dispenssis with him thairupoun.

Comperit Nicholl Rutherfurd of Hundoley, Johnne Rutherfurd of

Hunthill, James Ormistoun of that ilk, and Richart Rutherfurd of Edyarstoun, and become cautioneris and souerteis, conjunctlie and severalie, for Adam Rutherfurd and Charlis Rutherfurd, plegis for thame that thai sall nocht evaid nor eschaip owtwith this burcht of Edinburch, bot sall continualie remane thairintill quhill the tent day of Februar nix to cum, under the pane of ten thousand pundis; and siclik, William Cranstoun of Smalem, Knycht, and Walter Chesolme of that ilk, become cautioneris and souerteis conjunctlie and severalie, for Thomas Cranstoun, brother to the said Lard, plege for thame that he sall nocht evaid nor eschaip furth of the said burch of Edinburgh, quhill the said x day of Februar nix to cum, bot sall continualie remane thairintill during the said space, under the pane forsaid: and als, Thomas Trumbill of Betheroull, Hectour Trumbill, Tutour of Mynto, and David Trumbill of Wauchop, ar becumin cautioneris and souerteis conjunctlie and severalie for George Trumbill of the Tour, and George Trumbill of Stanehill, pleges for thame that thai sall nocht evaid outwith the said burch, bot sall continualie remane thairintill unto the said tent day of Februar nix to cum, under the said pane of ten thousand pundis; and gif the foresaidis personis or ony of thame desyris thair saidis freyndis plegis to be relevit thairof betuix and the said day, thai and ilkane of thaim sall compeir within this burch of Edinburgh, or than in the toun of Haddintoun, and thair sall find sufficient cautioneris and souerteis of inland landit men sufficient within Sowtra Ege, for every ane of the saidis thre clannis, under the pane of ten thousand pundis, that the saidis personis sall nocht evaid nor eschaip furth of the said burch or sic uthair place as salbe appoyntit to thaim, and ilkane of thame, quhair and in quhat place it sall pleise my Lord Governouris Grace to assigne to thaim; and every of the saidis souerteis forsaidis, to pas to ward, for remaning in ward during my Lord Governouris Grace plesour efter thair cuming thairto; and the saidis personis souerteis salbe oblist to the premissis under the said pane of ten thousand pundis. And the saidis personis ar content that this, thair obligatioun, be registrat in the Bukis of Counsell, and the Lordis autorite interponit thairto, and lettres to be direct upoun thaim and ather of thaim for fulfilling thairof, in all poyntis efter the forme and tennour of this thair obligatioun, in forme as efferis.

Be it kend till all men be thir present lettres, us, Walter Ker of Cesfurd, Johnne Ker of Pharniherst, Andro Ker of Hirsell Knycht, Gilbert Ker of Grenheid, Johne Ker of Corbethous , for our selffis, our kin, freyndis, allia, assistaris, and partakaris, to haif assurit, and be the tennour heirof assuris Thomas Trumbill of Betheroule Knycht, Nicholas Rutherfurd of Hundole, Johnne Rutherfurd of Hunthill, Hectour Trumbill Tutour of Mynto, David Trumbill of Wauchop, James Cranstoun of that Ilk, Richart Rutherfurde of Edgarstoun, George Rutherfurde of Langnewtoun, William Cranstoun of Smailhame, Knycht, , thame, thair kyn, freyndis, servandis, alya, assisteris, surnames, and all thair parttakaris to be unhurt, unharmit, unvexit,

untrublit, unpersewit be us, oure kin, freyndis, servandis, allya, assisteris, parttakaris, in thair personis, bodys, gudis, roumes, takkis, stedingis, and possessionis, in the law or by the law, for ony actioun or cause bigane, precedand the day of the dait heirof unto the xv day of Apprile nix to cum, to the effect that gude wayis may be had amangis us parteis in the mentyme; and heirto we bind and obliss us and every of us, be the faith and treuth in our bodeis, the holy evangellis tuichit, to observe and keip the said assurance, and all poyntis contenit in the samin, under the panis of perjure and infamyte for ever; and the parti brekand this present assurance never to be repute nor haldin ane honest man, nor to resort amangis utheris honest men; bot to be haldin vyle and abhominabill fra thene furth for ever, during the tyme of the said assurance; in witness of the quhilk we haif subscrivit this our assurance with our handis, at Edinburgh the xxj day of Januar the yeir of God j^{m}v^{c}liij yeris.

Apud palacium Supreme Domine nostre Regine prope Edinburgh, 4° Septembris, anno Domini, etc. lxj°.

The quhilk day, in presens of the Quenis Majestie, comperit Johne Maxwell of Terriglis, Knycht, Wardane of the West Mercheis of Scotland foranent Ingland, and tuke upoun him the keping of the office of Wardanrie of the said Marcheis, for quietnes of the cuntrie and weill of the liegis thairof, quhill hir Gracis nixt returnyng towart Edinburgh or hir palace forsaid.

The samyn day, Alexander Lord Hume, Wardane of the Eist Mercheis of this realme foranent Ingland, in presence of the Quenis Majestie, comperit and tuke upoun him the keping of the office of Wardanrie of the saidis Mercheis, for quietnes of the cuntre and weill of the liegis thairof, quhill hir Grace nixt returnyng towart Edinburgh or hir palace forsaid.

The day forsaid, in presence of the Quenis Majestie, comperit Andro Ker of Cavertoun, Knycht, sone and apperand air of Walter Ker of Cesfurde, Knycht, Wardane of the Myddill Mercheis of this realme foranent Ingland, and in name and behalf of his said father, promittit that he suld tak upoun him the keping of the office of Wardanrie of the saidis Mercheis, for quietnes of the cuntre, and weill of the liegis thairof, during the space abone writtin.

Apud idem palacium, sexto Septembris, anno Domini, etc. lxj°.

The quhilk day, the Quenis Majestie, for gude reule to be observit within hir realme, and retenyng of the samyn in quietnes to the weill of the liegis thairof, hes electit and chosin thir noble men and mychty lordis underwrittin; That is to say, James Duke of Chattellarault, Erle of Arrane, Lord Hammyltoun, etc.; George Erle of Huntlie, Lord Gordoun and Badyenoch, etc.; Archibald Erle of Argyle, Lord Campbell and Lorne, etc.; James Erle of Bothuile, Lord Halis and Creichtoun; George Erle of Errole, Lord Hay; William Erle Merschell, Lord Keyth; Johne Erle of Athole; James Erle of Mortoun; William Erle of Montroise; Alexander Erle of Glencarne; Lord James, Commendatar of Sanctandrois and Pittinweme;[1] and John Lord Erskin; togidder with hir Majestieis Thesaurar, Secretar,[2] Clerk of Registre, and Justice Clerk, to be hir Greit Counsale to consult, conclude, and decerne upoun all effaris concerning the commone weill of the realme and liegis thairof; and ordanis thame to be sworne to gif thair afauld, lell, and trew counsale in all thingis to be proponit befoir thame, in forme and maner to be requirit in sik caissis, and to keip the

[1] The Commendator of St. Andrews and Pittenweem was James Stewart, illegitimate son of James v., afterwards Earl of Moray and Regent of Scotland.

[2] The Secretary of State appears to have been James Straquhain or Strachan, Canon of Aberdeen. He had held the office jointly with Paniter, Bishop of Ross, who died in 1558. The names of the other officers present are given in the subsequent Minute.

samyn secreit, unrevelit, or exprymit ony way, as thai will ansuer to God and hir Majestie thairupoun.

In presence of the Quenis Majestie, comperit George Erle of Huntlie Lord Gordoun and Badyenoch, Archibald Erle of Argyle Lord Campbell and Lorne, George-Erle of Errole, Williame Erle Merscheale, Johne Erle of Athole, James Erle of Mortoun, James Commendatar of Sanctandrois and Pittinweme, Maister Robert Richardsoun Thesaurar, Maister James Makgill of Nether Rankelour Clerk of Registre, and Schir Johne Ballenden of Auchnowle Knycht Justice-Clerk; and being sworne, maid fayth and gaif thair aith to hir Grace lelalie and trewlie to consult, conclude, and decerne upoun all actionis to be proponit befoir thame concernyng the effaris and commone weill of this realme and liegis thairof, and to gif thair afauld, leill, and trew counsale thairin, and to keip the samyn secreit and unrevelit be ony maner of way, as thai will ansuer to God and hir Majestie thairupoun; and, als Johne Johnestoun, Clerk of Counsale, siclyke gaif his ayth to kep secreit all thingis quhilkis he sall heir proponit in Counsale.

Sederunt dicto die.

Georgius Comes de Huntlie. Archibaldus Ergadie Comes. Georgius Errolie Comes. Willelmus Marescalli Comes. Johannes Atholie Comes. Jacobus Comes de Mortoun. Jacobus Prioratuum Sancti Andree et Pittinweme Commendatarius. Magister Jacobus Makgill de Nether Rankelour, Clericus Registri. Joannes Bellenden de Auchnoule, miles, Clericus Justiciarie.

It is statute and ordanit that the saidis Lordis, electit and chosin be the said Quenis Majestie to be of hir Greit Counsale as said is, or at the leist vj of thame, with sa mony of the officiaris forsaidis as sal happin to be for the tyme, sall mak continuale residence with the Quenis Majestie, or quhair it sall pleis hir to appoint thame; and gif ony of thame wald depart and resort towart thair awin duelling places, or in ony utheris thair awin efferis, thai sall desyre licence of hir Majestie, and havand obtenit licence, sall appoint the tyme of thair returnyng, and sall nocht faill to returne at the tyme appointit, as thai will ansuer upoun thair aith and honouris.

Item, the said Lordis sall enter and convene in the Counsal house at aucht houris befoir none, and continew upoun the effaris quhill ten houris befoir dennar, and siclyke at ane houre eftirnone, and continew tua houris thairefter, and forther as the wecht of caussis sall require, bot gif the Quenis Majestie happin to command thame to do ony uther wyise or resort to hir presence.

Item, it is ordanit be the saidis Lords of her Majesties Counsel, that sa sone as the Lordis enteris in the Counsal hous, that the maser ische the said Counsal hous of all personis except the saidis Lordis and utheris

foirsaidis, with the Clerk or Clerkis of Counsale; and the maser to stand outwith the dur and suffer na man enter; and gif ony Erle, Lord, Barrone, Gentilman, or utheris cummis to the dur and desyris entres, that than the maser chop at the dur, and than ane of the Clerkis of Counsale to pass thairto, and heir quhat is desyrit be the Erle, Lord, Barroun, Gentilman, or utheris being thairat, and schaw the samyn to the Lordis, and thairefter thai gettand entres, gif thai have ony mater to propone, that silence be had amangis the Lordis quhill he haif done that gettis entre, and he thairefter to be removit.

Item, that the Lordis being sittin doun, that silence be had amangis thame, and that nane of thame speik nor commone of ony mater nor round with his marrow, bot as he salbe requirit and sperit at be the Chancellar or President, eftir the mater be proponit; and than ony tua of the Lordis being requirit to ressone upoun the mater, and eftir thame uther tua as salbe thocht gude. And quhen thai have done that ar commandit to ressone, gif thair be ony uther of the Lordis that hes ony opinioun to declair, or argument to mak, that thai schaw gif thai will argvue for ony ane of the partis, and thaireftir to proceid upoun his opinioun; and all argument and ressonyng ceissand, than the Chancellar or President sall ask and require every Lordis vote in the mater proponit.

Item, it is ordanit that all billis, lettres, and supplicationis that ar to be lukit on be the saidis Lordis of Counsale, be deliverit to the Chancellar, President, or to the Clerk of the Counsale, and eftir that thai have ressavit thame, that thai present thame upoun the burde, and to be red be the Clerk, as the Chancellar or President gevis command; and quhat beis unred, that the samyn be first red at the nixt meting, except it sal happin sik materis as concernis the commone weill and may nocht tak delay to be proponit. Quhilkis being done, to proceid fordwart upoun the saidis lettres, billis, and supplicationis, and that all parteis that hes ony billis, lettres, or supplicationis present the samyn to the Chancellar, President, or Clerk of the Counsale, or his Deputis, befoir the incuming of the Lordis to the Counsal house. And gif ony letter, supplicatioun, requeist, or bill, or uther writing, be direct fra the Quenis Grace to the Lordis of Counsale, that the Maister of Requeistis present and deliver the samyn to the Chancellar or Clerk of Counsale, to be sichtit be the saidis Lordis for ansuer geving thairto.

Item, that quhatsumevir mater be concludit be the Lordis concerning the commone weill or uther effaris direct to thame, that the samyn be insert in the buke of the Counsale; and quhatsumevir thing to be proponit, that the clerk of Counsale mak ane memour thairof, be avyse of the saidis Lordis, and that memour to be deliverit be the Clerk to the Chancellar or President at thair nixt meting, for end to be had of the samyn; and this ordoure to be kepit in all thingis concernyng the Quenis Majesteis effaris, hir realme, and commone weill thairof.

Item, that the Clerk of the Counsale write every day sa mony of the Lordis names that ar present, to be insert in the bukis of Counsale.

Item, the Quenis Majestie promissis to mantene and defend all the saidis Lordis, thair personis, landis, and gudis, fra all wrang, harme, hurt, or injurie to be done to thame; and quha that dois in the contrair shalbe punist with all rigoure; and gif ony personis dishonoris or lychtlyis thame, or ony of thame, in ony maner of way, than the saidis Lordis may command and charge that persone or personis in ward in ony oure Soveranis castellis, to remane quhill thai have maid satisfactioun for the falt at the saidis Lordis considerationis, gif the falt be small and injurious, and gif it be greit, quhill the saidis Lordis adverteise the Quenis Grace thairof, that hir Hienes may gar the samyn be amendit and punist as efferis.

Item, gif ony cryme throw slauchter, fyre rasing, oppin reif and he[irschip], or utherwyise, happynnis within ony part of this realme, quhilk sall require passing to thei partis quhair the crymes ar committit for punisment thairof; in that caice ony ane, tua, thre, or ma of the saidis Lordis as shall pleise the Quenis Majestie shall pass thair, and be our Soveranis commissioun as thai salbe directit, mak punisment with all rigoure, for stancheing of the lyke to be done in tyme cuming.

Item, to the effect oure Soverane Lady be nocht molestit with importunite, solistatioun, and requeist of hir Graces liegis, it is ordanit that na signaturis be presentit to be subscrivit be hir Hienes unto the tyme thai be first vesiit and considerit be the Thesaurar, and fund by him ressonable; and gif ony personis obtenis ony signature to be subscrivit be hir Grace utherwyise than is abone writtin, the samyn nocht to have passage nor to be sufficient.

Item, becaus thair hes bene thir tymes bipast greit dissobedience of oure Soveranis lettres, and na punitioun hes followit upoun the dissobeyaris; thairfoir, that in the deliverance of all lettres of horning or poinding in tyme cuming be the Lordis of the Sessioun, that command be gevin in the saidis lettres to the officiar executour of the samyn, how sone as he beis deforcit or denuncis ony persones rebell, and puttis thame to oure Soveranis horne, that the said officiar arrest all the gudis and geir pertening to the deforcear, or him that is denuncit at the horne, and mak ane inventar of the samyn; and als that he intimye the said horning or deforcement and inventar to the Scheref of the schire quhair thai dwell, and require thame to do thair office in that behalf, conforme to the actis past thairupoun of befoir.

Item, that Lyon King of Armes gif command to all officiaris to be admittit be him, that sa sone as ony of thame hes denuncit ony of our Soveranis liegeis rebellis, and put thame to the horne, or yat he is deforcit; that incontinent he indorse the saidis lettres and keip the copy of his said in-

dorsatioun with him self, to be put in his register, and deliver ane uther to the Thesaurar or Advocat within viij dayis eftir he hes execute the lettres in all pointis, to the effect the offendaris may be punist, and the officiaris deforcit or dissobeit may be satisfeit be the Thesaurar or his clerk, for making of the said advertisment.

Sederunt apud dictum palacium, viij Septembris, anno, etc. lxj°.

Georgius Comes de Huntlie. Archibaldus Ergadie Comes. Willelmus Marescalli Comes. Joannes Atholie Comes. Jacobus Comes de Mortoun. Jacobus, Prioratuum Sancti Andree et Pittinweme Commendatarius.

Forsamekle as be divers complaintis gevin in to oure Soverane Lady, be sindry strangearis, confederatis of this realme, of the greit wrangis done to thame under the cullour of the lettres of markque grantit be hir Majesteis maist noble progenitouris of gude memory upoun the Portingallis; be reving, spulyeing, and taking of thair gudis, gevand occasioun of brek sa fer as in thame lyis betuix hir Hienes, hir realme and liegis, and confederatis forsaidis, quhairthrow sindrie inconvenientis may follow thairupon; and hir Grace willing the samyn to be tryit and redressit in tyme, that gretar skaith gener nocht thairthrow, and als that hir liegis haif na just caus of complaint, —ordanit lettres to be direct to summond Johne Mowbray of Barnbowgall, Robert Logane, Williame Logane his bruther, Alexander Bertane, Robert Bertane sone of umquhile Johne Bertane, pretendand thame to have title to the saidis lettres of marque, and all utheris havand or pretendand thame to have interes, copyis, and transumptis thairof, to compeir befoir hir Majestie and Lordis of hir Secreit Counsale, at ane certane day bipast, for productioun of the saidis lettres of marque, copyis and transumptis thairof, gif thai ony haif, togidder with the inventuris of quhatsumevir gudis takin be thame be verteu of the samyn, to be sene and considerit be hir Hienes and Lordis foirsaidis; to that effect that, with thair avyse, hir Majestie mycht tak ordoure thairin as the saidis lettres beris. Quhilkis being execute upoun the saidis personis and utheris havand interes and copyis in maner abonewrittin, and thai at the day appointit thairto comperand, eftir that thai divers tymes wer requirit to produce the principal lettre of marque to the effect forsaid, togidder with the inventure of the gudis takin be thame, had nocht the samyn reddy to present as thai allegit; quhairthrow, the saidis lettres, copyis, and transsumptis, executioun and effect thairof, aucht and suld ceise quhill the productioun of the samyn; Thairfoir the Quenis Majestie hes suspendit and suspendis the saidis lettres of marque, copyis, and transumptis thairof, grantit upoun the saidis Portingallis as said is, in all tyme cuming, ay and quhill the productioun thairof befoir hir Grace and Counsale forsaid, and of ane just inventure of all gudis takin be verteu of the samyn, in ony tyme bigane; and gif the saidis personis or ony of thame producis and gevis in ony inventar, and the samyn beis nocht fundin just, thai salbe punist with all rigour in

thair bodeis, and thair hale gudis eschetit to oure Soveranis use; and ordanis lettres to be direct to pass and charge the saidis personis and all utheris oure Soverane Ladeis liegeis that nane of thame tak upoun hand to pas to the sey for apprehending and taking of ony maner of schippis or gudis be verteu of the said lettre of marque or transumptis thairof; and that na skipparis, marineris, nor utheris pass in cumpany with thame, or assist or furneis thame ony maner of way to that effect in ony tyme cuming quhill the productioun thairof, and of all transumptis and dowbillis of the samyn, and of the said inventar as said is; and the parteis lauchfullie warnit to heir the samyn producit under the pane of deid, and confiscatioun and escheting of all thair gudis movabill to oure Soveranis use; and that copyis of the saidis lettres be affixit upoun all schoris of portis of this realme that na persone pretend ignorance thairthrow.

Sederunt apud dictum palacium, ix° Septembris, anno, etc. lxj°.

Georgius Comes de Huntlie. Archibaldus Argadie Comes. Willelmus Marascalli Comes. Johannes Atholie Comes. Jacobus Comes de Mortoun. Jacobus Sanctiandree et Pettinweme, Commendatarius.

The quhilk day, in presence of the saidis Lordis, comperit Thomas Kennedy of Bargany, and of his aune consent is, be the saidis Lordis, ordinit to produce his pretendit court buke, quhairin the pretendit proces deducit at the instance of William Cant, Walter Cant, and thair collegis, decernyng the schippis and gudis takin be thame fra certane Britoneris, in the moneth of Maij last bipast, to be lauchfull pryse, is contenit, the thrid day of October nixt to cum, that the saidis Lordis may haif inspectioun of the samin.

Apud dictum palacium, x° Septembris, anno, etc. lxj°.

Forsamekle as be occasioun of the last trublis, the maist part of the clergy and ecclesiasticall estait hes on thair pretendit maner, set the landis unite and annexit to the kirk in fewferme and heretage, to the greit hurt, nocht onlie of the Quenis Majestie, bot als of the pure tennentis thairof, hir liegis of this realme; and the personis obtenaris of the saidis fewis, thinkand to mak thame the mare sure thairof, dailie sendis to Rome and bringis hame commissionis for confirmationis of the saidis fewis, consumand, waistand, and thairthrow in vane spendand, the gold, sylver, and uther money quhilk suld have course, passage, and charge within the realme, to the greit hurt of the commone weill thairof and hale liegis of the samyn, and express aganis justice. Thairfore the Quenis Majestie ordanis lettres to be direct to Messingeris, Schereffis in that part, charging thame to pass to all mercat croces of the burrowis of this realme, and utheris places neidfull, and thair be oppin proclamatioun in hir Hienes name and autorite, command and charge hir liegis, that nane of thame tak upoun hand to purchess or send for commissionis to Rome, for confirmatioun of ony fewis maid of kirklandis to quhatsumevir personis, sen the vj day of Marche the yeir of God

j^{m}v^{c}lviii yeris; and als to charge all maner of personis to quhome the saidis commissionis ar or sal happin to be direct, to desist and ceise fra all accepting of the samyn upoun thame, proceding or using of ony proces, or confirmyng of ony of the saidis fewis be vertew thairof, and all utheris personis fra all suting or persewing of the saidis confirmationis, under the pane of barratrie, with certificatioun to thame and thai failye, thai salbe declarit barratouris, and the saidis fewis and confirmatiounis sal be of nane avale, force, nor effect in tyme cuming.

Apud Perth, xix° Septembris, anno, etc. lxj.

Sederunt. Georgius Comes de Huntlie. Archibaldus Ergadie Comes. Willelmus Marescalli Comes. Joannes Atholie Comes. Alexander Comes de Glencarne. Jacobus Dominus Mortoun. Jacobus Dominus Stewart. Willelmus Comes de Montrose. Joannes Dominus Erskin.

The quhilk day, Williame Dowglass of Lochleven, on that ane part, and James Schaw of Sauchy on that uther part, conforme to the charge gevin to thame be verteu of the Quenis Majesteis ordinance, comperit befoir the saidis Lordis of Secreit Counsale, and exponit and declarit the questionis and actionis debatable betuix thame; quhilkis being hard be the saidis Lordis, thai have ordanit baith the saidis parteis to persew thair actionis hinc inde, criminalie or civilie, aganis utheris, as thai think maist expedient, conforme to the lawis of this realme; and als ordanis thame to desist and ceise fra all invading or persewing of utheris, thair freindis, tennentis, or servandis, be thame selfis or ony utheris in thair names, in tyme cuming, be way of deid, with certificatioun to thaim and thai failye thairin, thai salbe callit and punist thairfoir with all rigoure in exemple of utheris, for thair disobedience; and als the pairtie failyeand sal have the Quenis Grace and the hale Counsale party to thame to cause thame be persewit in maner foirsaid.

Apud palacium Regine, prope Edinburgh, xiij° Octobris, anno, etc. lxj.

Sederunt. Georgius Comes de Huntlie. Willelmus Marescalli Comes. Jacobus Comes de Bothuill. Jacobus, Commendatarius perpetuus Prioratuum Sancti Andree et Pittenweme.

It is statute and ordanit be the Quenis [Majestie] and Lordis of hir Secreit Counsale abonewrittin, that ane Justice Court be set and haldin in Jedburgh and ane uther in Dumfreis, als haistalie as can be possible, and the Justice Court of Jedburgh to be haldin the xv day of November nixt to cum; and the Justice Clerk to ordoure the samyn as becummis him of his office; and als that lettres be direct to charge all the Erlis, Lordis, Baronis, gentilmen, landit men, and frehaldaris within the boundis of Edinburgh principale, and within the constabularie of Hadingtoun, Linlythquow, Striviling, Clak-

mannane, Kynross, Fyfe, Berwik, Peblis, Selkirk, and Roxburgh, that thai, with thair substancious houshald, weill bodin in feir of weir, in thair maist substancious maner, meit James Commendatar of Sanctandrois and Pittenweme, Lieutennent, at Lauder, the xiij day of November nixt to cum, and pass fordwart with him to Jedburgh for the effaris concernyng the commone weill of the realme, and thair to remane for the space of xx dayis eftir thair cuming to Jedburgh, under the pane of tinsale of lyfe, landis, and gudis.

Forsamekle as the Quenis Majestie having at thair [hir?] hame cuming fundin hir realme in gude peax with all hir nychtbouris, is of mynd to interteny the samyn be all meanes, and thairwithall to conserve the liegis of hir realme in quietnes; nocht the les ane part of hir subjectis duelland neir the Bordouris being, as weill apperis be thair procedingis, impacient of all gude ordouris, be brekking of the cuntre, intendis to disturb the commone tranquillite, making continuale heirschippis, stowthis, and reiffis, upoun uther peceable subjectis duelland in the incuntre; quhilkis disordouris hir Majeste can nocht suffer unpunissit; for repressing of the quhilkis enormiteis, hir Hienes hes commandit ane Justice Court to be affixit and haldin in the tolbuith of Jedburgh the xv day of November nixt to cum, quhairunto hir Hienes will direct with hir commissioun and power; and finding be avyse of the Lordis of hir Secreit Counsale necessarie for executioun of hir Hienes commandment and service in that behalf, that hir Justice be weill accumpanyit, and hir autorite sufficientlie fortefiit, be concurrence of ane gude power of hir faithfull subjectis. Thairfoir hir Majeste, be advise foirsaid, ordanis lettres to be direct to the Schereffis of Edinburgh principale, and within the constabularie of Hadingtoun, Linlythquow, Striviling, Clakmannan, Kinroschire, Fyf, Berwik, Roxburch, Selkirk, and Peblis, and thair Deputis, and to officiaris of the Quenis, Schereffis in that part, chargeing thame to pas to the mercat croces of the heid burrowis of the schiris forsaidis, and utheris places neidfull, and thair be oppin proclamatioun in oure Soverane Ladeis name and autorite, command and charge all and sindrie Erlis, Lordis, Baronis, Frehaldaris, landit men, and utheris gentilmen duelland within the saidis scherefdomes, that thai, and ilkane of thame, with thair kin, friendis, servandis, and houshaldmen, weill bodin in feir of weir, in thair maist substantious maner, with xx dayis vittalis and provisioun, meit said at Lauder the day of November nixt to cum, and frathyne to pass fordwart with him in cumpany to the burch of Jedburch, thair to remane during the said space of xx dayis, and to ressave sik directioun and command as salbe gevin be him to thame in oure Soverane Ladeis name, for queetnes of the cuntre, and put the samyn to executioun under the pane of tinsale of lif, landis, and gudis.

Apud dictum palacium, xvj° Octobris 1561.

It it is thocht expedient that all the principale gentilmen of the cuntre, under quhame thair is ony brokin men duelland, be send for to the effect

that thai being callit befoir the Counsale, and requirit upoun the executioun of thair band and dewitie for gude reule keping, that every ane of thaim sall ressave in presence of the Quenis Grace the names of the thevis and brokin men, and salbe chargit to have thame in reddines to present to the Justice according to thair band; and gif thai refuise or makis sik ansuer quhairby it may be understand that thai ar nocht willing to do thair dewite, that the Quenis provide remeid thairfor as apertenis.

Apud dictum palacium, xvij° Octobris 1561.

In presence of the Quenis Majeste and Lordis of Secreit Counsale, comperit James Dowlgass of Drumlangrik, Knycht, and Johne Gordoun of Lochinver, quhilkis the Quenis Grace and Counsale ordanit to a[ttend ?] upoun the Wardane of the West Marchis at all dayis of trewis, and uther particular raidis to be maid be him, for subpressing of thift and uther crymes as thai salbe warnit; and gif thai be unressonablie chargit be him, that thai sall gif in thair complantis to the Quene and Counsale, thairupoun to be remedit as accordis.

Apud dictum palacium, xviij Octobris 1561.

The fyft day of November nixt to cum is be the Quenis Grace assignit to George Grahame and Johne Grahame to compeir befoir hir Grace and Lordis of Secreit Counsale, that hir Grace may tak ordoure quhilk of thame sall bruke the frutis and profittis of Cannabe; and thairfore hir Grace ordanis ane writting to be direct to warne the Abbot of Jedburch to compeir the said day to the effect forsaid.

In presence of the Quenis Majeste and Lordis of Secrete Counsale, comperit Johne Maxwell of Terriglis, Knycht, and acceptit the office of Wardanrie of the West Marchis of this realme foranent Ingland upoun him, and promittit faithfullie to serve thairin as he aucht to do, conforme to the commissioun quhilk he had thairof of befoir, as he will ansuer to the Quenis Majeste thairupoun.

Sederunt. Georgius Comes de Huntlie, etc. Jacobus Comes de Bothuile. Willelmus Marescalli Comes. Jacobus Comes de Mortoun. Jacobus, Sancti Andree et Pettinweme, Commendatarius. Johannis Bellenden de Auchnoule, miles, Clericus Justiciarie. Magistri— Jacobus M°Gill de Nethir Rankelour, Clericus Rotulorum Registri, et Willelmus Maitland de Lethingtoun, junior, Secretarius.

xix° Octobris, etc., lxj°.

The quilk day anent the actioun and caus persewit be Barnabe Demyrand, Gratian Daragon, Andro Ruis, Pierre Lenyen, Nicolis Fiot, Anthonie Cristien, Johne Lanbier, George Barnart, Johne Duday, Johne Delapress, Johne de

Anontibay, Saint Johne de Mendia, Johne Barbar, Lucas Gabary, Nicholas Bœdon, Johne Arnigan, Johne Crestien, Peter Darande, William Poulans, Peter de Savalla, Jaspard de Medina, Frances Carnero, Johne Arnedo, George Crestien, Frances Vire, Raowe le Texure, Johne Quehoue and William Noblet, merchantis and induellaris of the Toun and Fobours of Nantes, in Bertanye, freyndis and confederatis of this realme, and subjectis to the maist Cristin King, aganis Thomas Kennedy of Bargany, for the wranguis, violent, injust, and maisterfull spolatioun, reving and awaytaking, at the leist ressaving, ressetting, intrometting with, detenyng, disponyng, withhalding, be himself, his servandis, complices, and utheris in his name, of his causing, command, assistence, and ratihabitionis fra the saidis merchandis and every ane of thame, for thair awin part and portioun, of ane schip callit the Pernyk of Nantis, pertenying to the said William Noblet, and ballis of gudis and merchandices being thairin, in the moneth of Maij last bipast, the samyn schip, gudis, and merchandice than pertenyng to thame for thair awin partis, particularlie as thair awin propir gudis, and than being in thair possessioun upoun the seyis, makand saill and voyage fordwart furth of the port and river of Nantis to the port and heavin of Bilbo, in Spanye; and laitlie of befoir being schippit be thame, and ilkane of thame for thair propir part and portioun, thair servandis and utheris in thair names, in the said schip, and markit with thair awin propir markis, at the said toun and port of Nantes, to have bene cariit and transportit thairfra to the said port and toun of Bilbo, thair to have bene usit, sauld, and disponit be thame, thair servandis and factouris in thair names, to thair utilite and proffit; and nochtwithstanding, war wranguslie, violentlie, injustlie, and masterfullie reft, spulyeit, and takin the tyme forsaid be Williame Cant and Walter Cant, sonnis to Walter Cant, induellar in Leyth, and thair complices; and thaireftir in the moneth of Julij siclyke last bipast were brocht in be thame within this realme, at the port and heavin of Lochryane, and sensyne ressavit, resset, intromettit with, detenit, disponit and withhaldin be the said Thomas, his servandis and utheris in his name, of his causing and command as said is, at his plesoure, as at mair lenth is contenit in the principale summondis rasit thairupoun. The saidis merchandis comperand be Guilliame Lanbier and Andro Luley, thair procuratouris, with Maiester David M°Gill, thair prelocutour; and the said Thomas Kennedy of Bargeny being personalie present with Maister Thomas M°Calzean and Maister Clement Litill, his prelocutouris, quhilkis allegit that the Quenis Grace and Lordis of hir Secreit Counsale foirsaidis, on na wyise aucht nor suld be jugeis competent in the said mater, becaus the samyn is civile, and thairfoir suld be remittit to the Lordis of Sessioun, to be decydit be thame as accordis of law, conforme to the dailie practik.

The said Quenis Grace and Lordis of hir Secreit Counsale foirsaidis, be thair interlocutour, pronuncit that thai wald heir forder in the said mater nochtwithstanding the said allegeance; and thairfoir assignit to the said Thomas Kennedy of Bargany, and Maister Thomas M°Calzean, and

Maister Clement Litill, his prelocutouris, the xxj° day of the said moneth of October, to say forder in the said mater.

In presence of the saidis Lordis comperit Johne Keyth, Capitane of Akirgill, and being inquirit upone the ballis coft be him fra Walter Cant, and be quhat rycht he coft the samyn, declarit that befoir the bying thairof the said Walter producit ane decreit gevin be Thomas Kennedy of Bargany, subscrivit with his hand, and under his signet and subscriptioun manuale; and als, ane acquittance and discharge gevin of the admirall fee, quhairupoun he tuke instrumentis.

Sederunt. Dicti Domini xxj° Octobris, anno, etc. lxj°.

Maister Thomas M°Calzean, prelocutour for the said Thomas Kennedy of Bargany, allegit that the Lordis of Sessioun, be oure Soveranis predecessouris, wer appointit and ordanit supreme jugeis to discuss upoun all civile caussis, within this realme, and divers privilegis grantit to thame to that effect, ratifiit and assurit in Parliament; and sua in discussing of civile caussis thair is na juge above thame, as of befoir quhen Monsieur Ruby desyrit the Lordis of Secreit Counsale to be jugeis to decreitis gevin be the saidis Lordis of Sessioun, the samyn was nocht grantit, and in respect of his said allegeance, the said actioun aucht to be remittit to the Sessioun, and desyrit interlocutour.

The Lordis repellis this allegeance.

The said Maister Thomas, prelocutour foirsaid, acceptit the summondis as it is libellit.

The said Maister Thomas desyrit the procuratouris aith de calumpnia, and the said Guilliame Lanbier gaif his aith de calumpnia that he had just cause to persew the summondis as it is libellit.

The Quenis Grace and Lordis foirsaidis assignis to the said Maister Thomas, the thrid day of December nixt to cum, to propone all his defenssis, peremptouris and dilatouris, quhilkis thai will use in the said mater, and the parteis and procuratouris warnit apud acta.

Maister David Makgill, prelocutour for the saidis merchandis procuratouris, protestit for coistis, skaithis, dampnage, expenssis, and interes.

The fyft day of November nixtocum is be the Quenis Grace assignit to George Grahame and Johne Grahame to compeir befoir hir Grace and Lordis of Secreit Counsale, that hir Grace may tak ordour quhilk of thaim sall bruke the frutis and proffitis of Cannabe; and thairfoir hir Grace ordanis ane writing to be direct to warne the Abbot of Jedburgh to compeir the said day to the effect foirsaid.

Sederunt. Dicti Domini xxij° Octobris, anno, etc. lxj°.

To remember that ordour be takin with Wat Scot of Syntoun, Thome Scot of Hanyng, and Nicholace Rutherfurd of Hundoly, at thair cuming heir

the xxiij° day of October, for thair contemptioun in nocht compering the xviij day thairof, thai being chargit to that effect.

Sederunt. Dicti Domini xxiij° Octobris, anno, etc. lxj°.

In presence of the Quenis Majestie and Lordis of Secreit Counsale comperit Robert Scot, sone to Walter Scot of Syntoun, and promittit, band, and oblist him faithfullie that Hob Flescheour sall compeir befoir the Wardane of the Eist Marchis of this realme, the penult day of October instant, at Caldstreme, quhair the day of trew is to be haldin, thair to remane quhill lauchfull entre be takin of him for thre horse clamit be Stevin Sympsoun, in Berwik, stollin fra him; and the Quenis Grace ordanit the Wardane of the Myddill Marchis to do justice with expeditioun to the said Hob, aganis quhatsumevir personis, for his releif of the saidis horssis.

Thomas Scot of Hanyng oblist him that James Myddilmest sall enter befoir the Wardane of the Eist Marchis, day and place abonewrittin, quhyte Will Young, or the said James Myddilmest, his servand, or sum uther persoun, thair to remane quhill lauchfull entre be takin of thame for vj horssis, allegit stollin fra David Thomsoun in Berwik; and the Lard of Cesfurd promittit to caus his servandis ryde with the said Thomas to apprehend the saidis personis, in maner foirsaid, to the effect abonewrittin.

In presence of the Quenis Majestie comperit Alexander Lord Hume, and acceptit the office of the Wardanrie of the Eist Marchis upoun him, and promittit faithfullie to serve thairin as he aucht to do, conforme to the commissioun quhilk he had thairof of befoir.

Apud dictum palacium, xxv^to^ Octobris, anno, etc. lxj°.

Sederunt. Georgius Comes de Huntlie. Willelmus Marescalli Comes. Joannes Atholie Comes. Jacobus Comes de Mortoun. Alexander Comes de Glencarne. Jacobus, Sancti Andree et Pittinweme, Commendatarius perpetuus. Willelmus Maitland de Lethingtoun, Secretarius. Joannes Ballenden de Auchnowle, Miles. Clericus Justiciarie. Magister Jacobus M^c^Gill de Nether Rankelour, Clericus Registri.

In presence of the Quenis Majestie, James Schaw of Sawchy comperand, and being exeminit, confessit and grantit that he knew Williame Schaw culpable and participant of the taking of the iiij^m^v^c^ crownis fra the Frenchman, and that he hes bene divers tymes in his hous sensyne. And being chargit to produce the said Williame befoir hir Hienes, hes nocht done the samyn; and thairfoir the Quenis Majestie assignit to the said James, the last day of November nixt to cum, to do his diligence for to apprehend and tak the said Williame, and than to present him befoir the

Quenis Grace and Counsale, with certificatioun and he failye, he sall incur the Quenis indignatioun.

Memorandum, that lettres be direct chargeing thir personis underwrittin to compeir befoir the Quenis Grace and Lordis foirsaidis, the day of December nixt to cum, for thair advyse to be gevin in materis concernyng the weill of the Bordouris: that is to say, Williame Cranstoun of that Ilk, Knycht, Adame Scot of Alanehauch, Adame Scot of Burnefute, Sym Scot of Fynnik, Archibald Elwald of Fallinesche, Martine Elwald of Reideuch, Robert Ellot of Reidheuch, Williame Ellot, callit young Williame, David Turnbull of Wauchop, Thomas Hoppringle of Murecleuch, Williame Ellot, callit Archeis Will, Walter Ker of Dolphinstoun, Johne Gledstanis of that Ilk, Richard Rutherfurd of Edgaristoun, Nichole Rutherfurd of Hundolie, Knycht, Johne Rutherfurd of Hunthill, Adame Kirktoun, Johne Hoppringle of the Bentis, James Ker of Corbet, Andro Ker of Graden.

Comperit thir personis underwrittin: that is to say, Walter Ker of Cesfurde, Knycht, Johne Ker of Pharnyherst Knycht, Andro Ker of Hirsell Knycht, Gilbert Ker of Greneheid, Thomas Ker, eldest sone to James Ker of Mersingtoun, George Ker of Gaitschaw, David Hume of Wedderburne, Halieburtoun of Mortoun, James Ormistoun of that Ilk, Robert Scot, sone to Walter Scot of Syntoun, Robert Scot of Howpaslot, Thomas Scot of Hanyng, George Turnbull of Halroule, George Ker of Lintoun, Sym Scot of Alanehauch, Thomas Turnbull of Bethroule, Hectour Turnbull of Mynto, Williame Dowglass of Caveris, Walter Reddale of that Ilk, David Turnbull of Wauchop, Thomas Turnbull his bruther, Johne Rutherfurd of Hunthill, Robert Elwald of Reidheuch, Gawin Elwald for his bruther, callit Archeis Will, and in presence of the Quenis Grace ressavit thair valentinis of the names of the personis culpable of thift and utheris crymes, and wer chargit to apprehend and tak the samyn personis contenit in the saidis valentinis, to be presentit be thame befoir the Justice or his Deputis in Jedburgh, at sik dayis as thai salbe requirit thairto, to underly the law for the samyn, and to be present in Edinburgh, the vj day of November nixt to cum befoir the Quenis Grace, to report the names of the personis takin be thame, and quhat diligence thai have done thairin, under the panis contenit in the bandis thairupoun.

Sederunt. Dicti Domini xxvj^to^ Octobris, anno, etc. lxj°.

The quhilk day Walter Ker of Cesfurd, Knycht, acceptit the office of wardanrie of the Myddill Marchis upoun him, and promitt to serve lelalie and trewlie thairin, as he wald ansuer to the Quenis Grace thairupoun.

The samyn day, Margaret M°Clellane gaif in the supplicatioun following, befoir the Quenis Grace and Lordis of hir Privie Counsale, quha ordanit the samyn to be registrat in the Bukis of Secreit Counsale, as followis: Madame, unto your gude Grace and Lordis of Secreit Counsale, humlie menis

and lamentablie complenis, I, your servitrice and pure wedo, Margaret M^cClellane, relict of umquhile James Johnestoun of Wamphray, upoun Johne Johnestoune of that Ilk, bruther to my said umquhile spous, quha, with his complices, being ane greit man, and havand ane clan of the cuntre at his command, hes violently oppressit and heriit me continualie sen the deceise of my said umquhile spous, to the space of fyve yeris or thairby last bipast, cumand to my place of Wamphray, birning the tour thairof, with my oxin being within the samin, quhairwith I suld have telit and labourit myn and my barnis land, and spulyeit the best of the gudis and plennissing thairof at his plesour, brint, eit, and distroyit my cornis; and the cuntre, seing that oppressioun committit be him upoun me, every man put to his hand and intromittit with my place, gudis, and plenissing thairof at thair plesour; thaireftir send his servandis and slew my pouer officiar and his sone abone my hall fyris, without ony falt or occasioun bot onlie becaus he liftit up my malis and pure leving, and hes also in this tyme causit cut doun myn and my barnis woddis, quhilkis wer about oure place; and quhair I wald nocht set my stedingis to his men with gude will, he hes causit raise fyre on thame, and in lykemaner hes causit Robert Johnestoun, his eldest sone, tak and withhald fra me the parsonage of Wamphray, quhairof I had and yit hes takkis to rin, and uptakin the profittis thairof fra me thir tua yeris bigane, quhilk wes the maist speciale thing that I and my barnis suld have levit on; and of the same maner, Johne Johnestoun of Selchwode, of his fortefying and assistence, sone eftir the deceis of my said umquhile spous, came to my steding of Polcornell and raisit of the lokkis of the durris, sat doun thairintill, and hes withhaldin the same fra me continualie sensyne, with the hale proffittis thairof, I then being in possessioun of the samyn, occupiit with my awne gudis; and breiflie hes maid hevok of all myn and my barnis landis and gudis, and laid thaim waist during the space foirsaid, sua that he hes left nowther me nor thame ony kynd of thing to live on, and the males quhilkis ar restand in the tennentis handis, and stopis thame to gif it to me; beseiking heirfoir your Grace for the reward of God and my daile prayer to have commiseratioun of my pure caise, and sen the said Lard is sik ane man as I will get na justice of, bot gif it be youre Grace, that ye will gif command to the Maister of Maxwell, Wardane, now present in this toun, to enter me to my landis, possessionis, and stedingis, alsweill laid waist be the said Lard withhaldin be the said Johne Johnestoun of Selchwode, and Robert Johnestoun, his sone, of his causing and assistence as said is; and to keip and defend me, my barnis and servandis thairin, aganis the violence and tyrannie of the said Lard, his sone Johne Johnestoune, and utheris his freindis, and to cause the tennentis to ansuer and mak me payment of the males, fermes and dewiteis of my landis, stedingis, and rowmes, now being in thair handis, of termes bigane and in tymes cuming; and with sik restitutioun of the enormiteis and wrangis foirsaidis as ye, with your honorabill Counsale, sall thynk maist gude. Utherwyise, I and my pure barnis wilbe aluterlie put to extreme povertie and beggartie, and youre Graces ansuer, etc.

Sederunt. Dicti Domini xxix° Octobris, anno, etc. lxj°.

Comperit Maister Alexander Mauchane for the defendaris in the caus of Reidheuch, and allegit that the saidis Lordis can be na jugeis, bot the samyn suld be remittit to the Sessioun, becaus William Reidheuch is saisit, etc.

Maister Alexander Sym ansuerit that the questioun standis nocht upoun the validitie and invalidite of the saising, bot that the Quenis Grace mycht haif gevin preceptis without warning of partie, and that this summondis is direct for satisfeing of hir conscience, to the quhilk the Sessioun can nocht be jugeis, bot the saidis Lordis of Secreit Counsale.

The saidis Lordis, be thair interlocutour, findis and decernis that thai will heir forder in the mater.

Isobell Reidheuch producit ane extract of ane charter maid conforme to the desyre of the lettres, quhilk being red beris the payment to extend yeirlie to xxix ℔., etc.

Maister Alexander Sym grantit that quhair the charter beris xxix ℔. it suld beir xxix lib., and that samekle dewitie hes bene payit yeirlie thairfoir, and thairfoir suld nocht prejuge hir anent hir rycht of the saidis landis; quhairupoun M^r. John Spens askit instrumentis.

The said Maister Alexander Mauchane allegit that the landis wer full haldin of the Quene, and for verifying thairof, producit ane confirmatioun confirmand the charter of alienatioun maid be Henrie Reidheuch to
of the landis specifiit thairin;
the dait of the alienatioun is the thrid of Maij anno, etc., lvij°; the dait of the confirmatioun the xxj day of Marche anno, etc., lvij°; and thairfoir ane day aucht to be gevin for calling of thair warrand, upoun the daitis of the quhilkis the said Maister Alexander Muchane tuke instrumentis.

Comperit Johne Murray of Lochane, spous to Margaret Balfour, as the relict of umquhile Henrie Reidheuch, and protestit that the calling of the saidis personis prejuge nocht hir anent hir lifrent, quhilk scho hes of the saidis landis.

Sederunt. Dicti Domini tertio Nouembris, anno, etc. lxj°.

Comperit Thomas Kennedy of Bargany and Mr. Clement Litill, his prelocutour, and producit all thair defences, peremptouris and dilatouris, qualifiit in writ, quhilkis he will use aganis the summondis persewit aganis him at the instance of the Frenchemen, under protestatioun that he may augment, eik, and propone the samyn befoir the interlocutour.

The Lordis assignis to the Frenchmen and Maister David Makgill, thair prelocutour, the viij day of November instant, to gif in thair ansueris to the saidis exceptionis, and in the menetyme continewis, etc., and the parteis and procuratouris warnit apud acta.

> Followis the defenssis producit be me, the said Thomas Kennedy of Bargany, ansuerand to the pretendit summondis intentit aganis me be Barnaba de Mirand, Graciane Daragon, allegit Frenchmen and induellaris in Nantis, and thair collegis, specifiit in the summondis persewit at thair instance, for the allegit spoliatioun, at the leist ressaving and resetting, etc., of the guidis and schip, at mair lenth is specifiit in the saidis summondis, sayis and proponis that I suld be absolvit fra the saidis summondis simpliciter saltem as it is libellit, acceptand the same in quantum pro me facit and na utherwyise, for the caussis or ressonis following, under protestatioun for eiking, paring, and reforming of the same als oft as neid beis.

In the first, adherand to my recusatouris or declinatouris, exceptionis proponit of befoir, contra the jurisdictioun of my Lordis of Secreit Counsale, and acceptand the summondis in quantum pro me facit, et non alias aliter nec alio modo, and protesting that all my defences be discussit in thair awin ordour.

Pretendit procuratouris, persewaris of the saidis summondis, for the hale personis contenit thairin, hes nocht schawin ony sufficient procuratorie or power to that effect; and in sa fer as thai have schawin ony pretendit forme of procuratorie, that comprehendis nocht the haill nowmer of the personis libellit, be ressone that it beris expreslie in effect that Johne Darncybay, for himself and the personis following his name thairin—quhilk is the maist part of the pretendit persewaris—togidder with the personis preceding his name, maid the constitutioun of procuratouris; and sen ane man may nocht mak procuratouris for ane uther than himself, the said procuratourie can have na place nor gif power for the remanent personis following the said name of Johne Darncybay; and thairfoir na proces suld be led at the instance of the saidis remanent personis quhill ane uther sufficient procuratorie maid be thame be producit. Attoure the said procuratorie specifiis power alanerlie gevin to persew for ane schip and toylis, quhilk is callit lynnyng clayth in oure language, and thairfoir the pretendit procuratouris persewand thairby hes nocht sufficient power to persew for ony uther gudis libellit, sik as bukis, cordis, candillwakis, tykis of beddis, cardis, etc.; and thairfoir absolvitour suld be gevin fra the persute of the said pretendit procuratouris comperand for the foirsaidis remanent personis, and fra the persute of all utheris gudis libellit utheris than toylis.

Secundlie: In caise and quhen sufficient power beis schawin to mak persute for the hale personis and gudis libellit, the saidis summondis is

aluterly inept, irrevelant, and generale, becaus the same is conceyvit alternative, quhairthrow of the law it is requirit to the relevancie thairof that ather of the partis of the alternative be relevant in the self, utherwyise the haill to be nocht relevant; and sa it is that the ane part thairof contenyng in effect that at the leist the gudis libellit were ressavit, resset, intromettit with, etc., is manifest inept for sindrie caussis. First, becaus it specifiis nocht quhane, in quhat moneth, owlk, nor tyme, nor yit quhome fra, I ressauit the gudis, nor yit be quhat utheris in my name and command wes the samin ressavit, takand thairthrow away my defencis, baith for warrandice and releif, and quhilkis I mycht propone aganis the witnes that peradventure may be producit, sic as wes intromettoaris thame self, and wald depone for thair awin releif; and secundlie, becaus in sa fer as it contenis resetting of the gudis, etc., it is condiscendit that thair is ony decreit gevin contra the principallis awaytakaris of the gudis confessit be the persewaris, finding thame to have stollin the same, or committit ony spulye thairthrow. For resetting of gudis can nocht gif actioun quhane the awaytaking thairof is nocht fund criminous of befoir, contra the awaytakaris, as wes practicate, for Schir Johne Grenelaw callit civilie befoir the Lordis of Sessioun for resetting of Maister Robert Wauchop in his allegit barratrie, not being convictit of barratrie of befoir. And siclyke, in sa fer as is allegit naketlie, that I ressavit, intromettit with, and disponit the gudis libellit; without ony qualificatioun quhow that intromissioun, and dispositioun, mycht gif actioun to the auld possessouris; lyk as the persewaris clamis and confessis that the gudis war spulyeit of befoir ony tyme of my allegit intromissioun be the Cantis upoun the coistis of Bartanye, and sua in effect that I wes na spulyear, bot persewis me alanarly for the ressaving, etc., nocht making the foirsaid qualificatioun thairwith, nor yit quhome fra I ressavit the same. For it mycht stand that I had ressavit sum of the gudis libellit fra the thrid hand, quhairthrow it is certane that na actioun in maner libellit culd be competent contra me, lyke as it culd nocht be contra the cadgear, herbrearis, and awnaris of schippis and boitis, quhair, or be quhome, the same beis careit. And als suppois thair libell had expressit that I had ressavit the saidis gudis fra the Cantis libellit (as it does nocht) that culd nocht infer ane competent actioun contra me, in maner libellit upoun the foundment libellit, be ressone that the pretendit actioun libellit man be owther personale, or reall upoun possessioun or propiretie; quhilk gif it be personale be ressone of possessioun than it behuiffit to have bene intentit contra me as ane spulyear according to the first part of the libell, quhilk the actouris does nocht, bot falling thairfra libellis alternative, saying or at the leist I ressavit the gudis, etc., and nochtwithstanding thai aver spulyeit be the saidis Cantis, and thaireftir wes intromettit with be me, as the said libel planlie confessis, and me thaireftir to have ressavit the same in Scotland; thai can nocht call me be ony actioun personale upoun the foundment of possessioun, quhilk can nocht be persewit bot contra the persone that committis the spulye; and gif the actioun be reall thai may intent ratione dominij contra posses-

sorem ratione possessionis tempore libellato, to the quhilk the persewaris ar contrarius, granting that the same wer disponit upoun be me befoir the rasing of the foirsaid summondis; and gif thai culd have ony actioun contra me upoun the foundament libellit, it never can have apperance without thai wald libell that I ressavit the gudis libellit immediatlie fra the saidis Cantis eftir the spoliatioun thairof, knawing the same to be spulyeit and vicious; utherwyise it is plane that na actioun can be proponit contra me for sempill intromissioun be the foundment of spulye, specialie to lay the hale charge of the actioun and hale gudis libellit upoun me be occasioun of sum allegit intromissioun with ane litill part,—as wes practicate be the saidis Lordis of Sessioun contra ane Spanyeart callit Johne de Cuilar, persewing mair strenthlie in siclyke ane actioun in all sorts contra Frances Tennent, Alane Dikesoun, and utheris, ressavaris of segis and disponaris thairof, upoun quhais libellis tua sindrie tymes absolvitour wes gevin, and quhairthrow it behuffit to adject in ane new clame with sik qualificationis as is abonewrittin, and thaireftir probationis led preving intromissioun and dispositioun with the hale in generale, and nocht fullelie preving in speciale the hale quantite, it behuiffit the said Spanyeart to refer the mater to the saidis Lordis amicablie, utherwyise to have succumbit in his said caus,—and thairfoir upoun the foirsaid summondis as it is libellit on force, ane absolvitour may be gevin; quhilk qualificatioun of viciousnes knawin to me apparandlie, the actouris dar nocht, lyke as thai may nocht gudlie allege to infer me in mala fide, be ressone thai knaw (as I beleve) the contrair. Lyk as it is of veritie that in sa fer, or gif I gat intromissioun with ony small part of the gudis libellit, that wes bona fide, be ressone the passing furth of the saidis Cantis schip proceiding upoun lang preparing knawin to the hale cuntre—upoun the fundment of ane lettre of marque, gevin be our Soverane Lord that last deceissit, under his privie seill and subscriptioun, and registrat in his bukis, contra Spanyeartis—wes nocht inhibit be the prince, nobilite, nor utheris havand the cure and regiment of the realme; quhairthrow I nor na utheris had apperance to tak occasioun to affirme the gudis inbrocht be thame to be vicious, namelie, in respect of certane Spanyeart billis and bukis apperandlie berand the gudis libellit to have pertenit to Spanyeartis, as heireftir in ane uther exceptioun shall be mair specialie declarit, igitur, etc.

Thridlie, the said libell is generale in sa fer as the gudis libellit ar allegit in the libell to pertene to the actouris, and markit with thair markis, quhilk claus is adjectit to mak the mair cleir probatioun presumptive, be the apponing of thair markis thairto; quhilkis markis nor descriptioun of the fassioun and forme thairof is on na wyise specifiit, discrevit, nor payntit in nor upoun the said libell as aucht to have bene bayth of law and practic, usit of befoir in all sik actionis, as wes usit betuix the Frenchmen of Nantis contra Alexander Guthre and utheris, quhairby taking away my defenssis; for gif thai wald specify the forme of the mark I culd preve the contrair per scripta, and propone utheris defences uther-

wyise as accordis; and thairfoir absolvitour suld be gevin as the saidis summondis is libellit.

Ferdlie, absoluitour suld be gevin fra the hale gudis libellit, saltem, as tweching the gudis eftir specifiit, concernyng the personis particularly as followis, in respect of the clerkis buke, billis, and coquet being fund and apprehendit in the schip libellit, allegit chargit with the gudis libellit, the tyme of the apprehending thairof, berand the inventure thairof, quhame fra and to quhame send, and quhame to thai pertenit, saltem, it is libellit, the persewaris clamand the gudis libellit to pertene to thame selffis as Frenchmen, and schippit in thair names on thair auld accustomat maner conceling the gudis of Spanyeartis.

Albeit the saidis bukis and billis of thair chargeing and commissioun, direct to Bilbo, for ressaving of the same, beris the contrair; and that the saidis gudis pertenit for ane greit part to Spanyeartis and wer schippit in thair names, and specialie tweching the ballis libellit clamit to pertene to Bartilomeo de Myrande, extending to xxvij of canves and iiij of cardis, the foresaidis bukis and billis beris thame schippit in name of Frances Dalpasso.

And siclyke tweching xiij pacquettis cammes clamit be Gracian Darragound, as schippit in his awin name, the saidis bukis beris schippit in name of Andro Nunnes; and siclyke tweching uther thre pacquettis allegit be him as said is, the saidis bukis beris schippit in name of Francisco Darragoun; and lykewyise tua pacquettis of canves in name of Fernando de Arragoun; and siclyke ane pacquet of in name of Gregorio de Myranda, schippit as is allegit in the said Gracianis name, the said clerkis buke berand the same to be schippit in uther mennis names as said is; and siclyke fra thir ballis following, allegit schippit be Andro Rowis in his awin name, howbeit the said buke beir xij ballis of bukis schippit be him in name of Glawo de Synnetoun, aucht fardellis and iiij bunchis of cardis in name of Francisco de Lapressa, xvj pacquettis in name of Symoun Nowes; and siclyke, tueching ten pacquettis of candillwekis, and walx allegit schippit be Nicholace Fiot in his awin name, the said buke bering the samyn to be schippit in Johne Nunnes name; and siclyke tueching thre fardellis prest lynnyng, allegit schippit be Anthonie Triciane in his awin name, the said buke berand in name of Michaell de Boryagan. Item, thre pacquettis of lynnyng allegit schippit in name of Johne Lubere, the said buke berand in name of Nun de Arratra. Item, x pacquettis allegit schippit in name of Johne de Neisbar, the samyn beand, as the said buke beris, schippit in name of Nunnes de Neisbar. Item, tua pacquettis acclamit be the said Johne de Neisbar, in name of Johne Barbeir. Item, vj pacquettis of walx and paper in name of Frances Fernandis, as the said buke beris, the summondis berand the samyn to be schippit in Johne de Neisbarris name. Item, tueching vj fardellis of raw claith allegit schippit in name of Petir de Randea, the said buke berand in name of Henrie de Castro. Item, thre

fardellis of lynnyng claith allegit schippit in Guilliame Powlane name, the said buk berand in name of Anthonie Peris, and ane uther fardell of raw claith in the samyn maner. Item, x pacquetis in name of Gasper Demydena, the said buke berand in name of Blaise de Medena. Item, ane pacquet of naiprie in name of Alphons de Salnatera and v packis in name of Frances de Mando, quhilk is allegit all to be schippit in the said Gasperis awin name. Item, ane fardell allegit schippit of Francis Carniero in his awin name, the said buke berand of Anthone de Randego and Martyne de Sunsa. And siclyke of the said clerkis buke, at the leist missive billis writtin in Spanis, being in the said schip xxj peces ladin in the samyn schip be Guilliane Poulane in name of Anthony Penis, that is, the said Anthonyies awin propir gudis and xviij pecis, viz., vj peces of tykis of beddis and xij peces of uther clayth, to be deliverit in Medyna to thame that aucht thame, viz., ane thairof callit Mary Science in Sentraga, assurit fra danger be the skipper thairof, and siclyke ane fardell of raw clayth pertenand to Anthony Peris as his awin propir geir, markit with P., schippit be the said Guilliame. And siclyke berand the pacquet of naiprie schippit be Francisco Carniero to pertene to Nunnes de Sunta, in the toun of Victoria; and v pacquettis of lynning schippit be Gasper Demydena to pertene to Mando Jano, and als ane pece of raw claith and tua peces of uther canves schippit be Gratian de Arragon and send to Bartholomeo de Balbargo to be disponit at his will. Item, v peces of cammes schippit be Francisco Carniero pertenand to Degadalo Campo, and uther thre peces markit with the mark of the hous to be send to thame that aucht thame, in Spainye, and of xij peces that markis viij fordellis of cammes schippit be Andro Rowis, pertenand to Francisco de Lapressa, and ane ball of kinkis[1] pertenand to the samyn Francisco, schippit be the said Andro Rowis. Item, vj fardellis pertenand to the said Francisco, schippit be Johne Dannes. In respect of the quhilkis clerkis bukis and missive billis bering the saidis gudis to be schippit in uther mennis names nor the persewaris, as is particularlie abonewrittin, and uther partis of the samyn gudis to pertene to uther men as thair awin propir gudis, I, the said Thomas, suld be simpliciter assoilzeit as said is at the leist tueching the gudis specifiit in the saidis bukis, schippit in uther mennis names than the said libell proportis.

Fyftlie, I suld be simpliciter absolvit fra the ballis acclamit be Johne Armedo, George Christiane, Frances Vire, Raille la Texuore, Johne Quehoue, and Williame Noblet, be ressone that the samyn allegit ballis ar na wyise contenit in the clerkis buke or cocquet of the said schip, and thairfore of the law, at the leist practik and consuetude, of the sey, quhatsumevir gudis ar put or fund in ony schip to be carreit out of ane realme to ane uther, nocht beand contenit in the clerkis buke, nor cocquet, ar

[1] This unusual word is probably a peculiar spelling of "quink," the name in old Scots of a species of wild duck. In the Act 1551, c. 2, regulating the prices of wild fowl, we have "the claik, quink, and rute, the price of the peice," etc.—Acts Parl. Scot. ii. 484. See also above, p. 95.

presumit and jugeit to be thiftuouslie or unlefullie input in the said schip, and tane away for defraude of the Kingis customes, or uther dewites auchtand of the samyn, and thairfoir ar escheit; and in caise thai be tane the awnaris thairof man have na actioun for the samyn, lyke as ony schip fund passand betuix realmes without coquet is jugeit to be pirate, and lesumlie may be tane be ony persone, in respect of the quhilkis I suld be absolvit fra the saidis ballis as said is.

Sextlie, in caise I had ressavit fra the foirsaid Cantis ane small portioun of the gudis libellit takin of befoir be thame fra Spanyeartis, or utheris, extending to ten ballis or thairby, I committit na wrang in the said ressaving, nor be the said sempill ressaving (as is libellit) can be jugit to have committit ony wrang or offence to the persewaris, quhairby specialie that I suld be astrict and becum dettour in the hale gudis that wer takin away of befoir, be the saidis Cantis, be ressone that the saidis Cantis, for the tyme, were jugeit and estemit honest personis, and justlie to have apprehendit the gudis inbrocht and takin be thame as pertening to Spanyeartis be commone voce and fame, and be the greit apperand richtis pertenyng to thame, be ressone and be vertew of lettres of marque, grantit be umquhile oure Soverane Lord that last decessit, under his privie seill and subscriptioun manuale, registrat in his bukis of privie seill of the auld, to Alexander Bartoun, and assignatioun thairof maid to the said Cantis, and of the commissioun, clerkis billis, and utheris writingis send and gottin in the said schip apprehendit be thame, the tyme of hir taking apperandlie testefying the same, all writtin in the language of Spangyie; and being schippit for the maist part in name of Spangyeartis and indwellaris of Spanye, and markit with thair markis speciallie, my said ressait, being lang eftir that divers greit partis of the takin gudis wer disponit in Argyle and utheris partis, and bouk brokin of befoir, and divers and greit partis of the saidis gudis had and careit to Ingland, Irland, Caithnes and utheris partis, and the erar for securitie of the Admirallis dewitie in sa fer as mycht justlie pertene and becum awin thairof to the said Admirall and his deputis of this realme of the same. And in sa fer or in caise the persewaris wald pretend that albeit the ressait thairof wes lefull, yit nocht the les that the withhalding thairof is wrangus, the saidis gudis ressavit be me pertening to Frenchmen; I ansuer thairto, that be ressone I mycht lefullie have apprehendit the said portioun in considerationn abonewrittin, and for securitie foirsaid quhairwith the saidis Cantis wer contentit, thai aucht to warrand the same, and thairfoir ane competent day suld be grantit for calling of thame to that effect; and in caise na sik day suld be grantit thairto, I nocht the les willing to schort proces and schaw myself als benevolent as I may be to the persewaris for the plesour of my Lord Marques, I am content to mak deliverance of quhatsumevir ballis foirsaidis ressavit be me to the persewaris, in caise youre lordships find the same to pertene to thame, and have just actioun thairto, or that I aucht to mak deliverance of the same to thame. And in sa fer as I am persewit

for the allegit ressaving and withhalding of the hale gudis libellit, or of ony utheris gudis that I intromettit with and grantit in this exceptioun, gif the persewaris will abyde thairat, and gif thair aith, be thair procuratouris and foirspekar, Maister David Makgill, de calumpnia, that thai beleif thai have just caus to allege that I ressavit and withheld the hale gudis libellit,—or farther ony gudis libellit ma than I have grantit and condiscendit thairupoun in speciale, the exceptionis preceding being first discussit eftir the reformatioun thairof,—gif ony happynnis, I will deny ony sic farther intromissioun quhilk I beleif thai will nocht do; and thairfoir suld be assoilzeit fra the said clame. And protestis that I be nocht astrictit nor haldin to pay ony expenssis tueching the saidis grantit ballis, nor ony utheris, in cais thai will persist ony farther in persewing of me for ony uther gudis than I have grantit, or will nocht be content with the said offer, and for ony expenssis, dampnage, and interes, etc.

The samyn day forsamekle as be supplicatioun gevin in and presentit to the Quenis Majestie be Isobell Reidheuch, eldest dochter to umquhile Petir Reidheuch, it is desyrit that preceptis be grantit be hir Grace for proving of saising to hir, as eldest air femall to the said umquhile Petir, of all and hale the landis of Wester Abirlednocht, with the myln and myln landis thairof, and thair pertinentis, and of all and hāle the landis of Thomparroun, with thair pertinentis, lyand within the stewartrie of Stratherne and schereffdome of Perth, conforme to the infeftment thairof grantit to umquhile Henrie Reidheuch in lyferent, and to the said umquhile Petir and his airis male lauchfullie gottin, or to be gottin, of his body, quhilkis failyeing to the eldest of his airis femell, without divisioun. And becaus the Quenis Grace wes informit that divers utheris personis had and pretendit to have intres in the said mater, hir Hienes lettres wer direct, chargeing Williame Reidheuch, pretendit heretoure of the saidis landis, the said Isobell, David Toscheauche, and Williame Toscheauch, hir curatouris, for thair interes, Margaret Balfoure, relict of the said umquhile Henrie, and Johne Murray of Lochlane, now hir spous, for his interes,—pretendand thame to have rycht to the saidis landis, to compeir befoir hir Hienes and Lordis of hir Secreit Counsale at ane certane day bipast, to propone and allege all ressonis and caussis quhairby thai, or ony of thame, allegis that the said precept suld be gevin and grantit, conforme to the said charter, or refusit or denyit, be the Quenis Majestie, that hir conscience in that caise be nocht offendit, and that all parteis have justice thairin as accordis, as at mair lenth is contenit in the saidis lettres. Eftir the calling of the quhilkis, in presence of the saidis Lordis, comperit the said Williame Reidheuch, and the said John Murray of Lochlane for him, and the said Margaret Balfoure, his spous, on that ane part, and the said Isobell and hir curatouris foirsaidis for thair interes, and consentit and wer content that the said Isobell, with avyse of hir saidis curatouris, for thair interes, and the said Quenis Majesteis Advocat with thame, or the said Isobell and hir saidis curatouris be thame selfis, or the said Advocat be

himself singili, or be ony of thame, as thai shall think expedient, call and persew the saidis Williame and Margaret, or ony of thame, befoir the Lordis of Sessioun, for reductioun of ony infeftmentis maide be thame, or ony of thame thairof, or ony part of the samyn, or utherwyise for hir rycht and title of rycht, quhilk scho clamis to the saidis landis, in sik sort as scho and hir saidis curatouris pleissis libell, be ane simple supplicatioun or be summondis upoun x dayis warning, or utherwyise as thai sall think expedient; and that the samyn be callit without ony continuatioun, dyet or tabling of uther summondis, and oblissis thame to propone na exceptioun aganis the said ordoure.

Sexto Novembris, anno, etc. lxj°.

Sederunt. Jacobus Dux the Chatellaralt, Arranie Comes. Johannes Atholie Comes. Willelmus Marascalli Comes. Jacobus Comes de Mortoun. Willelmus Comes de Montrose. Jacobus Sancti Andree et Pettinweme Commendatarius. Johannes Dominus Erskin. Willelmus Maitland de Lethingtoun, junior, Secretarius. Johannes Bellenden de Auchnoule, miles, Justiciarie Clericus. Magister Jacobus M°Gill de Nether Rankelour, Clericus Registri.

The quhilk day, comperit Johne Cant, in Leyth, and Johne Keith, and producit an acquittance maid be Thomas Kennedy, youngar of Bargany, grantand him to haif ressavit fra Williame Cant, capitane of the schip callit the Marie Fortoun, ten fardellis of canves, etc., for the hale admiralschip thairof, of the dait the xxiij day of Junij, the yeir of God j^{m}v^{c}lxj, and at being inquirit at the said Johne Cant quhair he gat the samin, declarit that he gat the foirsaid acquittance fra George Creich, servand to the said William Cant.

In presence of the Quenis Majestie and Lordis of Secreit Counsale foirsaidis, comperit Johne Logane of Coitfeild, and became cautioun and souerte, that Johne Mortoun, in Leith, being presentlie stayit with his schip and gudis in Ingland, at the instance of Johne Baptista de Sambitore, procuratour generale for the Spanische natioun, salbe ansuerable befoir oure Soverane Lady, or ony uther jugeis ordinar of this realme, at the instance of the said Baptista or utheris, at quhais instance his saidis schip and gudis ar stayit to the lawis of this realme for xij° ℔. Scottis; the said Johne his schip and gudis being fred and relaxit to return within this realme; and Williame Logane, in Leith, actit and oblist him to releve the said Johne Logane of Coitfeild of the said soum, and of all dampnage and skaith that he sal happin to sustene as cautioun foirsaid.

Sederunt. Dicti Domini. Octavo Novembris, anno, etc. lxj°.

The quhilk day Guilliam Lanbier, procuratour for the Frenchmen, and Maister David M°Gill, his prelocutour, comperit and producit thair ansueris

to the defenssis gevin in be Thomas Kennedy of Bargany, qualifiit in writ with thre lettres and writingis, quhairto the saidis ansueris ar referrit, under protestatioun that thai may augment, eik, and pair the samin befoir the interlocutour. Maister Clement Litill, prelocutour for Bargany, desirit the sicht of the saidis ansueris under protestatioun ut supra totiens quotiens. The Lordis assignis the xiij day of November instant to gif thair interlocutour and to heir the mater resonit verbo in thair presence. Of the quhilkis answeris the tennour followis :—

> Ansueris for the part of Barnabe de Mirande, Gratiane Daragon, merchandis and induellaris in the toun of Nantis, and thair collegis, unto the pretendit defenssis proponit aganis thair summondis, persewit be thame for restitutioun of thair awin propir gudis, spulyeit and takin fra thame be Thomas Kennedy of Bargany, in respect of the quhilkis condampnatour man follow conforme to the summondis.

In the first, the first part of the said Thomas Kennedeis first exceptioun is nocht admissable, in respect of the ansuer gevin be youre Lordships of befoir, findand youre selffis jugis competent unto this caus as it wes persewit; and als to the secund part proponit aganis the procuratoury and power contenit thairin, for persewing of this action, the samyn aucht to be repellit for the hale personis contenit in the procuratory, be ressone that the procuratory is maid in speciale, and particularlie be every ane of the persewaris for himself, exceptand ane alanerlie callit Pedro de Savalla, quhame for Johne de Mintibay subsitutis, and makis procuratour; quhilk Johne hes of the said Pedro de Savalla sufficient power to that effect, quhilk power we produce with thir ansueris; and as to the thrid part of the first exceptioun, berand that the procuratorie gevis power alanerlie to persew ballis of lynnyng, that aucht to be repellit, in respect of the procuratorie contenand power to persew the merchandice, ballis, and schip libellit,—in respect of the quhilk, the said first exceptioun aucht and suld be repellit.

The secund exceptioun aucht to be repellit, in respect of the libell relevantlie libellit aganis the said Thomas Kennedy of Bargany, as may appeir planlie to your Lordships be thir wordis contenit in the libell,—that is to say, the said spulye wes committit of the causing, command, assistence, and ratihabitioun of the said Thomas, quhilk is ane sufficient forme of libelling; and in sa fer as ony mair is libellit, sik as intrometting, detening, and withhalding, that is superabundant, considering that assistence and ratihabitioun be the self, ar sufficient aneuch to gif us actioun, as said is; quhilk assistence and ratihabitioun we offer us to preve sufficientlie befoir youre Lordships, conforme to oure libell. And as to the secund part of the said exceptioun, in the quhilk thair is ane exemple of barratrie, we ansuer thairto, that oure actioun is civill, and sua hes na lyknes unto the exemple adducit; attoure for ane resolute ansuer unto the hale secund exceptioun, the said Thomas was in mala fide be intrometting with the gudis libellit,

and knew the samyn to be viciouslie takin; at the leist, culd nocht pretend ignorance thairof be ressone that he being Admirall in the part quhair the said schip and gudis arryvit, fand be sentence definitive the gudis libellit to be lauchfull pryise, sua that the takaris thairof mycht dispone thairupoun; and ressavit and tuke contentatioun thairfoir as Admirall, howbeit, in veritie it culd nocht be unknawin to the said Thomas, that quhidder the gudis libellit had pertenit to Spanyeartis or Frenchmen, thai culd be na just pryise, be ressone thai being Frenchmennis gudis (as thai wer in deid), thai pertenit to freindis and confederatis of this realme, and thairthrow culd nocht have bene pryise; and gif that ony part thairof had pertenit to Spanyeartis, the samyn inlikwyise culd nocht have bene adjugit to have bene just pryise be ony allegit lettre of marque, thair being nane sik as wes allegit; and gif ony had bene, as is nocht grantit, the samyn wes dischargit be the appointment of peax takin be oure Soverane with the King of Spanye in the yeir of God $j^{m}v^{c}$ yeris, quhairthrow the said Thomas, havand na just caus of ignorance, and injustlie affirmand the spulye libellit, hes thairthrow incurrit the panis pertenyng to ane Spanyeart, of the law, quhilk is restitutioun of the hale gudis libellit, and thairfoir the said secund exceptioun aucht and suld be repellit.

Thridlie, the thrid exceptioun aucht and suld be repellit in respect of the summondis, be ressone that quhidder the gudis libellit had bene markit or unmarkit, the awnaris and proprietaris thairof hes gude actioun to persew the samyn; for thair is na law that sayis that Frenchmennis gudis unmarkit shall pertene be escheit to the Lard of Bargany, and thairfoir the said thrid exceptioun aucht and suld be repellit.

Ferdlie, the ferd exceptioun—menand in effect ane exceptioun direct contrair to the libell—aucht and suld be repellit in respect of the contrarietie thairof; the samyn menand for the gretast ressone ane persuasioun alanerlie, sik as the schipping of certane of the gudis libellit in uther mennis names than in thairis that persewis this spulye, thairthrow allegeand the gudis to have pertenit to thame in quhais name the gudis wer schippit, adduceand the clerkis buke quhilk utherwyise is callit the charter party, and the missive, billis, and cocquet of the said schip, be the quhilkis your Lordships shall understand the contrair of the said exceptioun to be of veritie. For it is of treuth that as the charter partie beris that the gudis libellit ar chargit be the awnaris and proprietaris thairof, as the said charter partie beris, and in name of thair factouris in Spane, for as youre Lordships be inspectioun of the said charter partie shall considder, thai in quhais name the saidis gudis ar chargit hes rycht of propirtie thairto be the said charge; be ressone that with the said charge thair is directioun gevin to sindrie of thame, to send and convoy the saidis gudis to utheris townis, and merchandis dwelland farder within the realme of Spane than dois the factouris in quhais names the saidis gudis ar chargit; be the quhilk it is

easye to understand the propirte of the saidis gudis to remane with the chargearis; and attoure the chargeing of the gudis in the thrid personis name is nocht ane maner of transferring of propirtie, becaus it is nocht certane that he in quhais name the gudis ar chargit pretendis ony propirtie thairthrow, and thairfoir in sa fer as the said exceptioun is proponit, it is juris tertii, and thairfoir can nocht elyde the richt of the persewaris; in respect of the quhilk the said ferde exceptioun aucht and suld be repellit.

Fyftlie, the fyft exceptioun,—berand the ballis acclamit be Johne Arnedo, George Tretien, Francis Vire, Raull le Texure, Johne Guion, and Williame Noblet, nocht to be restorit be ressone the samyn wer nocht contenit in the clerkis buke, nor cocquet of the said schip,—aucht to be repellit, in respect that quhidder thai had bene contenit or nocht, the intromettouris thairwith hes na enteres nor title thairto be that ressone, for thair is na sik law nor consuetude that will that gudis omittit out of the clerkis bukis or coquet fiant primi occupantis; and thairfoir the said fyft exceptioun aucht and suld be repellit.

Sextlie, acceptand the sext exceptioun, in sa fer as it makis for us, et non alias, quhilk in the self is principallie foundit upoun the lettre of marque allegit grantit to Alexander Bertoun aganis the Spanyeartis, and assignatioun maid thairof to Williame and Walter Cantis, inbringaris of the schip and gudis libellit; ansuerand thairto—the samyn on na wyise is to be heird, bot aucht to be repellit, in respect that the said Thomas Kennedy of Bargany, in this caise as judge competent—Admirall depute of the west partis of this realme—adjugeit the said schip and gudis to be lauchfull pryise, be verteu of the lettre of marques and assignatioun abonewrittin, express aganis justice; considering the said Thomas culd nocht pretend ignorance of the appointment tane betuix oure Soverane and the Empriouris subjectis, as in the secund ansuer is rehersit. Be the quhilk appointment of peax, all lettres of marque wer dischargit, and sua the said Thomas assistit unto the committaris of the said spulye, and gaif occasioun be his sentence definitive foirsaid, of the destributioun of the schip and gudis libellit, quhilk utherwyise wald nocht have bene done. Quhairthrow we have gude actioun for the hale gudis libellit aganis the said Thomas. As to ane day to call his warrand, this actioun is personall; and na warrand of the law is grantit in sik caissis, and thairfoir the hale exceptionis foirsaidis aucht to be repellit, and our summondis admittit to our probatioun, acceptand alwayis the grant of the said Thomas as is abonewrittin, quhilk ansuer we mak alsweill for the Spanyeartis, persewaris, as for the Frenchmen.

Apud dictum Palacium, xj° Novembris, anno, etc. lxj°.

The quhilk day, forsamekle as the Lard of Coldenknowis hes, at the Quenis Majesties command, takin on hand to enter ane servand of his to the

Wardane of Ingland, for payment of the bill intentit be Dand Thomsoun, Inglisman, and his fellowis, and fylit upoun quhyte Will Young and Dand Dalgleische of Grubethauch. The bill extendis to vj hors, quhilkis ar yit unsworne, and to mak him worth the sowme, the Quenis Hienes commandis hir Thesaurar to satisfie and relief the said Lardis servand within xx dayis eftir his entre, als weill of all chargeis and expenssis as of the payment of the bill; and siclyke ordanis the said Thesaurar to caus set furth all charges and executionis aganis the faltouris contenit in the said bill, and aganis thair maisteris for thair dissobedience, and to caus put the samyn to executioun, in the maist rigorous maner, and ay and quhill hir Majestie may be relevit of the said payment and justice done accordinglie.

The samyn day, forsamekle as Wat Scot, sone to Wat Scot of Syntoun, hes takin upoun hand to enter Sandy Flescheour at the nixt day of trew, viz., the xiij day of November instant, to the Wardane of Ingland for the bill intentit be Steven Symsoun, Inglisman, and fylit upoun Flescheour, Scottisman, the principale thairof sworne to xx ℔b. stirling, the hale soum extendis to xij^{xx} ℔b. Scottis; and that the Lord Hume hes, at the Quenis Grace command, oblist him to Ingland to caus him be maid worth the soum. Thairfoir, the Quenis Majestie ordanis hir Thesaurar to satisfy and releve the said Wardane within xx dayis eftir the entre of the said Flescheour, alsweill of all charges and expenssis, as of the payment of the said bill; and siclyke ordanis the Thesaurar to caus set furth all and executionis aganis the malefactouris contenit in the bill, and aganis thair maisteris for thair dissobedience, and to caus put the samyn to executioun, in the maist rigorus maner, and ay and quhill hir Majestie may be relevit of the said payment, and justice done accordinglie.

The samyn day, in presence of the Quenis Majestie, and of hir expres command, James Erle Bothuile Lord Hailes and Creichtoun, etc., for himself, and takand the burding upoun him for his kin, freindis, tennentis, and servandis on that ane part; and George Lord Seytoun for himself, and takand the burding upoun him for his kin, freindis, tennentis, and servandis on that uther part; hes assurit, and be thir presentis assuris, in the law and be the law, ilkane utheris, thair kin, freindis, tennentis, and servandis, to be unharmit, unvexit, unmolestit, and undistrublit, owther be word, countenance, or deid, be ony maner of way, for quhatsumevir actionis or caussis bigane, that ony of thame hes to say or allege aganis utheris, quhill the first day of Februar nixt to cum, under the pane of dishonour, infamy, and defamatioun.

The samyn day, in presence of the Quenis Majestie, of hir speciale and expres command, James, Commendatar of the Prioreis of Sanctandrois and Pittenweme, for himself, and takand the burding upoun him for his kin, freindis, tennentis, and servandis—and als for Johne Cokburne of Ormistoun, his kin, freindis, and servandis—on that ane part; and James

Erle Bothuile for himself, and takand the burding upoun him for his kin, freindis, tennentis, and servandis on that uther part; hes assurit, and be thir present lettres, in the law, and be the law, specialie assuris, ilkane utheris, thair kin, freindis, tennentis, and servandis, to be unharmit, unvexit, unmolestit, and undistrublit, owther be word, countenance, or deid, be ony maner of way, for quhatsumevir actioun or caussis bigane that ony of thame hes to say or allege aganis utheris, quhill the first day of Februar nixt to cum, under the pane of dishonour, infamy, and defamatioun.

Apud dictum Palacium, xij° Novembris, anno, etc. lxj°.

Followis the instructionis gevin be the Quenis Majestie to my Lord James, to be usit be him and as he thinkis, be the avyse of the Counsale present with him, in the procedingis at the Justice Court now to be haldin, be continuatioun, to the xv day of this instant moneth of November 1561, at Jedburgh.[1]

In the first, forsamekle as the inhabitantis of the Myddill Marchis of this realme, sik as ar bundin for the gude rewle of thair tennentis, servandis duelling upoun thair landis, baillieris, takkis, stedingis, possessionis as utherwyise, wer chargit be oure Soverane to have comperit befoir hir Majestie the xxv day of October last bipast, and at that day ane part of thame comperand, wer chargit according to thair band to tak and apprehend the personis gevin to thame be name in severall valentinis; and becaus ane greit part within the saidis Myddill Marchis comperit nocht lettres wer direct of new with valentinis, chargeing to apprehend the personis namit to thame in valentinis, and thai quhilkis comperit and ressavit thair saidis valentinis in oure Soveranis presence, as alsua thai quhilkis wer chargit be lettres in maner foirsaid, wer commandit to have comperit befoir our said Soverane the viij day of November instant, to report the namis of the personis takin be thame, and quhat diligence thai have done in taking and apprehending of thame, according to thair bandis, with certificatioun, gif thai failyeit, that thai suld be accusable of the panis contenit in thair saidis bandis; and becaus thair is nane comperit the said viij day, nor sensyne, except Sir Andro Ker of Hirsell Knycht, Walter Ker of Dolphinstoun his sone, Thomas Ker sone to James Ker of Mersingtoun, David Turnbull of Wauchop, Thomas Scot of Hanyng, Robert Scot sone to Walter Scot of Syntoun, and Andro, Commendatar of Jedburch, quhais ansueris salbe considerit be the said Lord James. And first of all, to call the forsaidis hale personis quhilkis comperit, and als thai quhilkis wer chargit be lettres to gif ansuer directly upoun thair valentinis gevin to thame, and als upoun thair dissobedience nocht comperand the said viij day of November in presence of oure said Soverane; and as beis fundin

[1] "My Lord James," viz., James Stewart, afterwards Earl of Moray and Regent, entered in the immediately preceding and other minutes as Commendatar of the priories of St. Andrews and Pittenweem.

that thai have done diligence in apprehending of the personis gevin in valentinis, to use thame mair gentillie for thair dissobedience in the last comperance; and as beis fundin thai have nocht done diligence to accuse thame with all rigour in counsale, upoun thair said dissobedience and nocht comperand, as alsua upoun the nocht apprehending of the faltouris gevin in valentinis to thame.

Item, gif the personis callit for thair said diligence in apprehending of thame gevin in valentinis denyis thame, or ony of thame gevin in the saidis valentinis, to be comprehendit under thair band; than to inquire quhat maister thai haf, and quha beis callit thair maister, to be callit in and confrontit with him to quhome the valentine wes deliverit; sua that it may be fundin quha suld ansuer for that persone denyit, and quha beis fundin to ansuer, to be chargit.

Item, eftir examinatioun foirsaid, it shalbe maist expedient that befoir ony ansuer geving to the foirsaidis personis, that thai quha ar apprehendit be thame first of all, with circumspect sycht of suithfast assyise and dittay, be presentit to the justice, and execute with all possible diligence, according to thair demeritis; quhilk being done, than to call of new agane befoir the said Lord James and Counsale the hale personis, alsweill commandit in the Quenis presence as chargit be lettres, and accuise thame of nocht doing thair diligence, and dissobedience; and eftir thai be accusit and thair ansueris put in writ, than to take sa mony of thame as salbe thocht expedient, and direct thame away be charge with cumpany to convoy thame to oure Soverane Ladeis ward in Edinburch, Dunbar, or sik uther place as shalbe thocht maist expedient.

And, gif it salbe fundin gude or apperandlie to have executioun, to put ony of thame to assyise in Jedburgh quhilkis hes nocht done thair diligence, and thai being convict thair, to send thame thaireftir to ward quhill our Soveranis will be knawin; and this meane and ordour to be usit as the said Lord James, with avyse of the Counsale, sall think, owther first, or eftir thai have chargit utheris to ward upoun the knawlege of the Counsale alanerlie, in the quhilk thair awin wisdomes will tak the best as thai find occasioun in Jedburgh.

Item, that it be providit in sik sort be the Justice Clerk, that publict offendaris being put to ane assyise, that sik assyise be knawin to be had, as will nocht for feir of party, stop to declair sik offendaris to be punist, and that men of the incuntreis quha may have knawlege be put upoun the saidis assyissis; becaus it is maist notourlie knawin that be the assyise of the cuntre men maist manifest and publict offendaris hes bene clengit.

Item, gif it be thocht expedient be the said Lord James, be the avyse of the Counsale being present with him in ony part thairof the tyme of his

remaning in Jedburgh, that ony persone or personis dissobedient within the boundis of the Myddill Mercheis or utheris partis, be riddin on and invadit be fyre and swerd, the samyn to be als lauchfullie done as gif speciale commissioun wer gevin under the Quenis Majesteis greit seill to do the samyn, upoun every particular, thair partakeris, assistaris, or adheraris; and to assage houssis; and gif thai be haldin, to cast doun the samyn as salbe thocht gude be him. And quhatsumevir thing that happynnis to be done, be fyre, slauchter, taking of gudis, presonaris, or utherwyise in that behalf, na persone nor personis, subjectis of this realme, to have actioun thairfoir, nowther criminalie nor civilie; bot the said Lord James, or quhatsumevir utheris being with him or at his command, doand the premissis, to be fre of all the actionis foirsaidis; with power to him to direct lettres in oure said Soveranis name, to charge all and sindrie the inhabitantis of the said Myddill Marchis, and utheris partis adjacent thairto, to concur with him to the effect foirsaid, under the pane of deid. And ordanis the signet to ansuer lettres upoun his deliverance, and tua of the Counsallis hand writtis to the effect foirsaid, or ony uther effaris concernyng the weill of the cuntre during his residence thair.

Item, gif it shall be thocht gude to the said Lord James to wryt to the Wardanis of Ingland, or ony utheris havand commissioun of the Quene of Ingland, for the weill of this realme, and keping of the samyn and liegis thairof in quietnes, that he sa oft wryt to that effect as he sall think expedient; and als with power to the said Lord James to charge the Wardanis of all the Marchis of this realme, and utheris havand charge within the samyn, to do in all thingis for the suppressing of malefactouris as he sall charge thame, and as thai will ansuer to our said Soverane upoun thair allegeance and particular bandis; with certificatioun to thame and thai failye, thai salbe accusit thairfoir as gif thai wer chargit be oure said Soverane in particular.

Item, gif ony persone or personis happynnis to be convict at the said Justice Court, for quhatsumevir crymes, gif the said Lord James thinkis thame to be replaitit, and the executioun thairof to be continewit for the better executioun of justice, that he continew the samyn, and transport and cause the personis foirsaidis be transportit to the burgh of Edinburgh, or sik uther place he pleissis, quhill oure Soveranis mynd be knawin thairintill.

Item, gif ony persone or personis being at the horne or fugitive fra the lawis, with quhome he may nocht without danger intercommone with thame, that he speik and intercommone and cause utheris, quhome he pleissis name, intercommone with thame for the weill of the cuntre and furtherance of the executioun of justice, als oft as he sall think expedient, for the quhilk thai sall incur na skayth nor danger in tyme.

Item, quhatsumevir uther thingis the said Lord James, be the avise of the maist part of the Lordis of Secreit Counsale being with him, happynnis to

do, and put to executioun for the weill of the cuntre, the samyn salbe haldin als lauchfullie done, as gif speciale commissioun wer gevin to him or thame, upoun every point and particle thairof, in the maist ample forme, under the greit seill.

Quhilkis instructionis the Quenis Majestie ordanis to be insert in the bukis of Prive Counsale, and to have the strength of ane act thairof, and to remane thairin ad perpetuam rei memoriam.

Apud dictum Palacium, xiij° Nouembris, anno, etc. lxj°.

Sederunt. Willelmus Marescalli Comes. Willelmus Comes de Montrose. Joannes Atholie Comes. Willelmus Maitland, junior de Lethingtoun, Secretarius. Joannes Ballenden de Auchnowle, miles, Clericus Justiciarie. Magister Jacobus Makgill de Nether Rankelour, Clericus Registri. Presente Sinclair Decano Glasguensi.

The quhilk day, in presence of the Lordis of Secreit Counsale, Maister David Makgill, prelocutour for Guiliam Lanbier, and Andro Linley, procuratour for Barnabe de Myrand and his collegis, eikit to the first part of the ansuer maid to the first part of the first exceptioun gevin in be Thomas Kennedy of Bargany aganis the summondis intentit aganis him be the saidis Barnabe and his collegis, that nochtwithstanding the sufficiencie of the procurationis contenit thairin, gif the saidis Lordis thocht expedient he wald find sufficient cautioun de rato; in respect of the quhilk the saidis Lordis repellit the said first part of the said first exceptioun, and ordanis the saidis procuratouris to bring with thame the said cautioun, the xv day of November instant, at tua houris eftir none; and als the saidis Lordis, be sentence and interlocutour, findis the saidis procurationis sufficient to persew the haill gudis libellit in respect of the tenour thairof, nochtwithstanding the allegeance maid in the contrair, and contenit in the secund part of the said first exceptioun, and continewis the discussioun of the remanent defences unto the said day, and the saidis procuratouris for the saidis persewaris, and the said Thomas Kennedy ar warnit thairto apud acta.

Apud dictum Palacium, secundo Decembris, anno, etc. lxj°.

Sederunt. Joannes Atholie Comes. Jacobus Comes de Bothuill. Willelmus Marescalli Comes. Alexander Comes de Glencarne. Jacobus Comes de Mortoun. Joannes Dominus Erskin.

The quhilk day, in presence of the Quenis Majestie and Counsale, comperit my Lord James, and presentit the instructionis gevin be hir Grace to him, to haif bene usit and performit be him, at the Justice Court haldin in Jedburch be continuatioun the xv day of November last bipast; quhilkis being red, sene, and considerit, and the said Lord James procedingis declarit at length, the Quenis Majestie fand that he had satisfiit the

saidis articlis and directionis gevin to him in maner foirsaid, ordourlie and accordinglie in all pointis, and approvit all thingis done be him at the said Court.

Apud dictum Palàcium, quarto Decembris, anno, etc. lxj°.

Sederunt. Willelmus Marescalli Comes. Alexander Comes de Glencarne. Jacobus Comes de Mortoun. Jacobus Sanctiandree et Pittinweme, Commendatarius. Thesaurarius. Secretarius. Clerici, Registri, et Justiciarie.[1]

The quhilk day, in presence of the Quenis Majestie and Lordis of hir Secreit Counsale foirsaidis, comperit the gentilmen underspecifiit; that is to say, Johne Ker of Pharnyherst Knycht, Richard Rutherfurde of Edgarrstoun, Johne Rutherfurd of Hunthill, David Turnbull of Wauchop, Hectour Turnbull tutour of Mynto, Thomas Turnbull of Bethroule Knycht, George Turnbull of Halroule, Johne Gledstanis of that Ilk, Andro Ker of Graden, Adame Scot of Alanehauch, Robert Scot of Howpaslet, James Ormistoun of that Ilk, and Johne Mow of that Ilk; and confessit that thai, and ilk ane of thame, had controvenit the tenour of the band maid and gevin be thame and thair predecessouris to our Soverane Lady and hir predecessouris, for suppressing of thift and punissing of thevis and malefactouris, and that thai wer culpable of the panis contenit thairin, and had incurrit the samyn; and thairfoir come in the Quenis Majesties will to be ordourit be hir as hir Grace thocht expedient.

Apud dictum Palacium, xiiij^to^ Novembris, anno, etc. lxj°.

Sederunt. Willelmus Comes de Montrose. Willelmus Marescalli Comes. Joannes Atholie Comes. Magister Jacobus Makgill de Nether Rankelour, Clericus Registri. Willelmus Maitland, junior, de Lethingtoun, Secretarius. Presentibus etiam Episcopo Rossensi, Episcopo Dunblanensi, Roberto Carnegy de Kynnard milite, Magistro Joanne Stevinsoun Precentore Glasguensi, Magistro Abrahamo Creichtoun Preposito de Dunglass, Magistro Willelmo Baillie, Domino Provand, Magistro Jacobo Balfoure Rectore de Flisk, Magistro Joanne Gledstanis Juris Utriusque Licentiato, et Magistro Joanne Spens, S. D. N. Regine Advocato.

The quhilk day, anent the summondis rasit at the instance of Barnabe de Mirande, Graccan Darragon, and certane utheris, thair collegis, induellaris in Nantis, in Bertanye, and subjectis to the maist Cristin King, freindis and confederattis of this realme, aganis Thomas Kennedy of Bargany, for the

[1] xv^to^ Novembris 1561. The proces following suld be insert befoir this Act, and the samyn wes omittit becaus Maister Johne Scharpe being in the place of Johne Johnstoun, clerk of the Secreit Counsale, quha than at the Quenis command wes in Jedburcht, deliverit nocht the samyn to him in tyme, togidder with the Act nixt preceding.—[Marginal memorandum, opposite to the Sederunt.]

allegit wrangus, violent, and maisterfull spoliatioun, reving, and awaytaking, ressaving, resetting, intrometting with, detenyng, disponing, and withhalding be him self, his servandis, complices, and utheris in his name, of his causing, command, assistence, and ratihabitioun, fra the saidis merchandis and every ane of thame, for thair awin part and portioun, of ane schip callit the Pernik of Nantis, certane ballis of lynnyng, clayth, bukis, paper, and cardis inbrocht at the port of Lochryane in the moneth of Junij last bipast, and thair intromettit with and disponit upoun be the said Thomas, as at mair lenth is contenit in the saidis summondis. And anent the exceptionis and defences gevin in aganis the samyn, and ansueris maid thairto, the Quenis Grace and Lordis of Secreit Counsale, being ryplie advysit thairwith, the said Thomas Kennedy comperand personalie, and the saidis complenaris be Guilliame Lanbier and Andro Luley, thair procuratouris. Anent the first exceptioun, be sentence and interlocutour, ordanis the saidis procuratouris to find sufficient cautioun within this realme de rato, that the principallis persewaris sall hald ferme and stable, etc., according to the offer maid be thame thairof, in respect of the quhilk, and of the procurationis producit, the Quenis Grace and Lordis foirsaidis repellis the hale first exceptioun; and anent the cautioun desyrit be the defendar of the saidis procuratouris for thair dampnage, interes, and expense, the Quenis Grace and Lordis of Secreit Counsale continewis the discussioun thairof till thai se on quhame the burding of probatioun salbe laid in deductioun of the proces. Item, for reformyng of the irrelevance of the summondis mentionat in the secund exceptioun, the Quenis Grace and Lordis of Secreit Counsale ordanis the wordis (at the lest) to be haldin pro deleto in the said summondis sa oft as the samyn is thairin, viz., in the narrative and conclusion according as it now standis. The saidis wordis (at the leist) being deleit, repellis the haill secund exceptioun.

Item, anent the thrid exceptioun proponit aganis the said summondis, tweching the markis of the gudis and merchandice contenit thairin, the Quenis Grace and Lordis of Secreit Counsale repellis the samyn, loco quo, and ordanis the compleneris the tyme of probatioun of the said actioun to exhibit in jugement the proper mark of every ane of the complenaris; and the said Thomas Kennedy to be hard than to say aganis the samyn.

Item, anent the ferd exceptioun proponit aganis the said summondis, the Quene Grace and Lordis of Secreit Counsale ordanis baith the parteis to concur and cause the haill bukis, billis, and charter parteis apprehendit in the schip libellit to be translatit in Scottis be sum perfyte man of bayth thair consentis, to the effect that it may be understand to the Quenis Grace and Lordis fairsaidis, quhame to the gudis libellit pertenit, the tyme of the allegit spulye thairof; and this to be without prejudice of the probatioun of the libell.

Item, anent the fyft exceptioun, the Quenis Grace and Lordis foirsaidis repellis the samyn simpliciter as it is conteynit.

Item, anent the sext and last exceptioun, the Quenis Grace and Lordis foirsaidis findis the samyn peremptourlie proponit aganis the saidis summondis, nochtwithstanding the allegeance maid be the said Thomas Kennedy in the contrair, that the samyn wes onlie proponit dilatorie; and thairupoun the saidis Guilliame Lanbier and Andro Luley be Maister David Makgill thair prelocutour askit instrumentis, and denyit the samyn exceptioun, samekle thairof as wes peremptourlie conteynit, and wes content the samyn suld be admittit to the proponaris probatioun; and thaireftir the said Thomas Kennedy past fra the samyn, and thairupoun the said persewaris askit instrumentis. Item, anent the last part of the said last exceptioun, anent the asking of ane day to call ane warrand, the Quenis Grace and Lordis foirsaidis repellis the samyn, and reservis the said Thomas his actioun aganis the Cantis mentionat in the said exceptioun or ony utheris; thairfoir the said exceptionis being ilkane discussit as said is, the Quenis Grace and Lordis foirsaidis admittis the said summondis to the complenaris probatioun, and ordanis thame to declair be thir procuratouris, the day of November instant, quhat commissionis thai will have, and quhat termes thai desyre to be assignit to thame for the first terme of probatioun in the said mater. And the said Thomas Kennedy, be Maister Thomas M°Calyean, his prelocutour, protestit that in consideratioun the summondis wes conceyvit copulative anent the reif, spulye, ressait and intromissioun of his caussing, etc., that gif the hale copulative wes nocht provin for absolvitour and for his coistis, skaithis, damnage, and expenssis in the said mater; and the saidis protestit, that thai wer nocht astrictit to superfluus probatioun, and for victorie of the caus in caise he previt samekle as is neidfull.

Sederunt. Dicti Domini apud dictum Palacium. Decimo quarto die mensis Novembris, anno Domini, etc. lxj°.

The quhilk day comperit Williame Forester, induellar in Leyth, and offerit himself to be cautioun de rato for Guilliame Lanbier and Andro Luley, procuratouris for Barnabe de Myrande and his collegis, that the principall persewaris sall hald ferme and stable all and quhatsumevir thingis done or to be done be the saidis procuratouris in the actioun movit be thame agains Thomas Kennedy of Bargany. The Lordis assignis the xxj day of November instant to gif thair ansuer gif the said souertie be sufficient for the effect foirsaid.

[On the same day the Council find that William Forester may be a sufficient surety de rato until the next term, and ordain a sufficient mandate to be produced at the same term, he remaining surety in the meantime.]

The samyn day, the Quenis Grace and Lordis of Secreit Counsale assignis to Guiliam Lanbier and Andro Luley, procuratouris for Barnabe de Myrande,

and his collegis, the x day of Marche nixt to cum, for the first terme of probatioun for preving of the summondis persewit be thame aganis Thomas Kennedy of Bargany; and ordanis the saidis persewaris to haif ane commissioun to the Senescall of Nantis, for examinatioun of witnes and deductioun of probatioun in the said mater, and assignis all the dayis betuix the xxiiij day of Januar and the first of Februar next to cum, inclusive, to deduce the said probatioun, and the said x day of Marche nixt to cum ad reportandum; and ordanis the defendaris interrogatouris to be inclosit within the said commissioun; and Maister Clement Litill, procuratour for the said Thomas Kennedy, disassentit to the assignatioun of the said terme being sa schort, and protestit for remeid, and thairupoun askit instrumentis.

Apud Edinburgh, xj° Decembris, anno, etc. lxj°.

Forsamekle as be careing and sending away furth of this realme,—be the merchandis thairof and utheris, oure Soverane Ladeis liegis, thair servandis and factouris in thair names,—of the oxin and ky hydis, in greit nowmer and quantite, sik exorbitant derth thairof and of the barkit ledder is resin within this realme, that the butis, schone, and uther apparalingis maid thairof, ar sauld sa deir that the pouer servandis, lauboraris, and utheris liegis of this realme ar and wil be thairby alluterlie depauperat; quhilk can nocht gudlie be remeidit without the saidis rowch hydis remane within this realme, for furnessing of oure Soverane Ladeis leigis. For remeid quhairof, hir Majestie ordanis lettres to be direct to hir Graces officiaris, Schereffis in that part, chargeing thame to pass to the mercat croces of the burrowis of Edinburgh, Perth, Striviling, Dunde, Air, Irwin, Drumfreis, Lynlythquow, Dunbertane, Aberdene, Montrose, Sanctandrois, Glasgow, Elgin, Invernes, Cowpar, Hadingtoun, and utheris, burrowis of this realme, and thair, be oppin proclamatioun in hir Hienes name and auctorite, command and charge all and sindrie merchandis and utheris personis quhatsumevir, alsweill liegis of hir realme as strangearis reparand within the samyn, that nane of thame tak upoun hand to haif, cary, or send, be thame selfis or utheris in thair names, furth of this realme, to ony uther cuntreis, be sey, land, or ony uther maner of way, ony maner of oxin or ky hydis, fra the fest of Candilmes nixt to cum for the space of thre yeris nixt thaireftir, under the pane of confiscatioun of the saidis hydis, and all uther thair movable gudis; and als to charge all and sindrie maisteris, skipparis, and marineris of schippis, that nane of thame tak upoun hand to ressave in thair saidis schippis ony of the saidis hydis, to be had or careit furth of this realme, as said is, under the pane of confiscatioun of thair saidis schippis quhairin thai ressave the samyn; and siclyke to charge hir Graces customaris that nane of thame tak upoun hand to custome the samyn, as thai will ansuer to hir Hienes thairupoun; and als to charge hir Graces sercheouris, to seirche and seik diligentlie quhair ony hydis happynnis to be put in the

saidis schippis, to be careit furth of hir realme, as said is, and escheit the samyn to hir Hienes use, and to declair the personis inputtaris thairof, and the maisteris and skipparis of the schippis ressavaris of the samyn, to hir Hienes comptrollar, that the panis foirsaidis may be execute upoun thame.

Sederunt apud Edinburgh, xxij Decembris, anno lxj°.

Jacobus Dux de Chattellarault. Georgius Comes de Huntlie. Archibaldus Ergadie Comes. Willelmus Marescalli Comes. Joannes Atholie Comes. Willelmus Comes de Montrose. Jacobus Comes de Mortoun. Alexander Comes de Glencarne. Jacobus Commendatarius Sancti Andree et Pettinweme. Joannes Dominus Erskin. Magister Robertus Richardsoun, Thesaurarius. Magister Jacobus Makgill de Nether Rankelour, Clericus Registri. Joannes Ballenden de Auchnoule Miles, Clericus Justiciarie. Willelmus Maitland de Lethingtoun Junior, Secretarius.

Presentibus etiam Dominis subscriptis ratione conventionis, viz.: Joanne Comite de Sutherland, Georgio Comite de Cathanes, Andrea Comite de Rothes, Joanne Domino de Menteith, Joanne Domino Glammis, Hugone Domino Somervell, Roberto Domino Boyd, Joanne Domino Flemyng, Georgio Domino Setoun, Joanne Domino Innermeth, Alexandro Domino Hume, Davide Domino Drummond, Andrea Domino Stewart de Uchiltrie, Jacobo Domino Sancti Joannis, Joanne Magistro de Maxwell, et Jacobo Dowglas de Drumlangrig, Militibus.

It is statute and ordanit be the Quenis Majestie, with avise of the Lordis of hir Secreit Counsale and nobilitie assemblit at this present Conventioun, that na maner of persone nor personis be removit fra thair rowmes or stedingis, of quhatsumevir kirklandis, sett in few sen the vi day of Marche the yeir of God j^{m}v^{c}lviij yeris, bot bruke and joise the samyn without danger of violence quhill the feist of Witsounday in the yeir of God j^{m}v^{c}lxiij yeris, that in the meintyme ordoure may be taken thairin be the estattis in parliament for the weill of the cuntre; and ordanis the Lordis of Sessioun and utheris, jugis of this realme, to desist and ceise fra all proceding aganis ony of the saidis personis, callit for violent occupatioun of the saidis landis set in few sen the said vj day of Marche as said is quhill the said feist of Witsounday the yeir of God foirsaid; dischargeing thame thairof and of thair offices in that part in the meintyme; and ordanis lettres to be direct heirupoun gif neid beis.

The samyn day, forsamekle as the Quenis Majestie, be the advyse of the Lordis of hir Secreit Counsale, foreseand the eminent truble quhilk apperandlie wes to ryise amangis the liegis of hir realme for materis of religioun, to evaid the samyn and to stay all inconvenientis that may follow

thairupoun, intercommonit with ane part of the clergie and estait ecclesiastical, with quhome than ressonyng being had, it wes thocht gude and expedient be hir Hienis that ane Generall Conventioun suld be appointit the xv day of December instant, quhairto the rest of that estait mycht have repairit, and be the avyise of the hale, ane ressonable overture maid and ordoure takin for staying of the apperand truble and quieting of the hale cuntre; quhilk Conventioun being be hir Majestie appointit, and sindrie dayis of Counsale kepit, and the said ecclesiasticall estaitis oftymes requirit that the said ordoure mycht be takin, and overture maid for staying of truble and quieting of the cuntre; first of all in presence of the Quenis Majestie and Lordis of Counsale foirsaidis, and utheris of the nobilitie of the realme, comperit Johne Archbischop of Sanctandrois, Robert Bischop of Dunkeld, Patrik Bischop of Murray, and Henrie Bischop of Ross; and for thame selfis respective offerrit to the Quenis Grace to be content of thre partis of the rentis of thair benefices, and the ferd part thairof to be employit as hir Grace thocht expedient; and becaus the certantie thairof wes nocht knawin, nor yit quhat sowmes of money wald sufficientlie sustene the ministerie and ministeris of Goddis word within this realme, nor yit how mekle wes necessar to support the Quenis Majestie abone hir awin rent for the commone effaris the cuntre: Thairfore it is concludit, decernit, and deliverit, be the Quenis Grace and Lordis of Counsale foirsaidis, and utheris of the nobilitie present, that gif the ferd part of the frutis of the hale benefices ecclesiasticall within this realme may be sufficient to sustene the ministeris throw the hale realme, and support the Quenis Majestie to intertein and sett fordwart the commone effaris of the cuntre, failyeing thairof the thrid part of the saidis frutis, or mair, quhill it be fund sufficient to the effect foirsaid, to be takin up yeirlie in tyme cuming, quhill ane generale ordoure be takin thairin; samekle thairof to be employit to the Quenis Majestie for intertenyng and setting fordwart of the commone effaris of the cuntre, and samekle thairof to the ministeris and sustentatioun of the ministerie as may ressonablie sustene the samyn, at the sycht and discretioun of the Quenis Majestie and Counsale foirsaid; and the excrescence and superplus to be assignit to the auld possessouris; and to that effect, that the rentis and yeirlie avale of the hale benefices within this realme may be cleirlie knawin to the Quenis Majestie and Counsale foirsaid, it is statute and ordanit that the hale rentalis of all benefices within this realme be producit befoir hir Grace and Lordis foirsaidis at the tymes underwrittin; that is to say, of the benefices on this syde of the Month[1] the xxiiij day of Januar nixt to cum, and beyond the Month the x day of Februar nixt thaireftir, and our Soveranis lettres to be direct to officiaris of the Quenis schereffis in that part to pass, charge, and require all and sindrie Archbischoppis, Bischoppis, Abbottis, Commendataris and

[1] The word Month is thus explained in a marginal note, written apparently in a later hand :—"*i.e.* Mount, or mountains, meaning the Grampian Mountains. Month was an ordinary expression in this kingdom to signify desert mountains."

Priouris of this realme on this syde of the Month personalie, gif thai can be apprehendit,—and failyeing thairof at the saidis Archbischoppis, Bischoppis, Abbottis, Commendataris and Priouris duelling places, cathedrale kirkis or abbayis; and all Denis, Archdenis, Subdenis, Chantouris, Subchantouris, Provestis, Personis, Vicaris, and all utheris beneficit men, thair chalmerlanis and factouris, personalie, or at thair duelling places, or at thair parroche kirkis, quhair thai suld remane; to exhibit and produce befoir the Quenis Majestie and Lordis foirsaidis, the said xxiiij day of Januar nixt to cum, the just and trew rental of the avale and rentis of thair benefices to the effect foirsaid: And to charge the Prelattis and utheris beneficit men on the yond syde of the Month in maner respective foirsaid to produce the just and trew rentale of thair benefices befoir the Quenis Grace and Lordis foirsaid, the said x day of Februar nixt to cum, to the effect abonerehersit; with certificatioun to thame that failyeis, the Quenis Grace and Counsale will proceid aganis as accordis; and siclyke to charge the hale Superintendentis, Ministeris, Eldaris, and Deaconis of the principale townis and schiris of this realme, to gif in befoir the Quenis Grace and Lordis of Counsale foirsaidis, the said xxiiij day of Januar nixt to cum, ane formal and sufficient roll and memoriall, quhilk may be sufficient and ressonable to sustene the minsterie and hale ministeris of the realme that hir Majestie and Lordis of Counsale foirsaidis may tak ordour thairintill as accordis; and forder that the Quenis Majestie and Lordis of Counsale foirsaidis ryplie and digestlie wey and considder quhat necessar support is requirit to be takin yeirlie of the frutis of the said benefices by hir Graces awn yeirlie rent to interteny and sett fordwart the commone effaris of the cuntre agane the said xxiiij day of Januar nixt to cum, that than it may be procedit in the said mater all parteis be satisfeit, and the hale cuntre and liegis thairof sit in quietnes.

The samyn day, forsamekle as the wechtie and debatable caussis standand amangis the legis of this realme, quhilk mycht gif occasioun of brek and inquieting of the hale estait of the samyn,—for eschewing thairof the Quenis Majestie appointit ane conventioun of the nobilitie and clergy of hir Graces realme foirsaid to compeir the xv day of December instant, quhilk being haldin and divers tymes continewit, comperit Johne Archbischop of Sanctandrois, Robert Bischop of Dunkeld, Patrik Bischop of Murray, and Henrie Bischop of Ross, and offerit as eftir followis; that is to say, that thai being restorit to thair benefices and privilegis, and ansuerit thairof, offeris to the Quenis Majestie, for the space of ane yeir, the ferd part of the rentis of thair benefices, to be employit as hir Grace thinkis expedient, and this thai offerrit and na forder.

Apud Edinburgh, vij° Januarij, anno, etc. lxj°.

Sederunt. Georgius Comes de Huntlie. Archibaldus Ergadie Comes. Joannes Atholie Comes. Willelmus Marescalli Comes. Jacobus Commendatarius Prioratuum Sanctiandree et Pittinweme. Joannis Dominus Erskin. Magister Jacobus Makgill, Clericus Registri. Joannis Ballenden de Auchnowle, Miles, Clericus Justiciarie. Willelmus Maitland, junior de Lethingtoun, Secretarius. Magister Robertus Richardsoun, Thesaurarius.

The quhilk day, anent the lettres purchest at the instance of Barnabe de Myrand, Gracian Daragon, Undro Ruis, Purro Lenyen, Nicholace Fiot, Arthonie Crestien, Johne Lanbier, George Bonart, Johne Dudoy, Johne Dalapresse, Johne de Arnerbay, Saint Johne de Meridia, Johne Barbar, Lucas Gabery, Nicholas Badoun, Johne Jarnegan, Johne Crestien, Peter Darande, Guilliam Powlian, Peter de Sanalla, Jaspert de Medina, Frances de Carnero, Johne Arnedo, George Crestien, Francis Vire, Raoule le Texure, Johne Guehone, and Guilliame Noblet, merchandis and induellaris of the toun and fobers of Nantes in Bertanye, subjectis to the maist Cristiane King, freindis and confederattis of this realme, aganis Thomas Kennedy of Bargany, chargeing him to extract or cause his clerk extract, draw furth, and deliver to the saidis complenaris, upoun thair ressonable expenssis, the autentik copy of ane pretendit decreit of the dait at Lochryane the xxv day of June the yeir of God j^m v^c lxj yeris, gevin and pronuncit be him as Admirall Depute, findand, deliverand, and decernand the hale gudis and geir takin and apprehendit in the schip callit the Pernik of Nantis, and specifiit and contenit in the Clerkis bukis, and markit with the markis insert thairintill, to have bene lauchfullie and justlie takin be Williame Cant, capitane for the tyme of the schip callit the Marie Fortoun, and his company, be vertew of ane pretendit lettre of marque specifiit in the said decreit, and thairfoir that he and utheris takaris thairof, and utheris havand intres thairto, mycht justlie intromet thairwith, sell and dispone thairupoun, at thair plesoure,—to that effect that thai mycht pres the pointis of the summondis intentit be thame aganis the said Thomas, for spoliatioun, reving, awaytaking, and withhalding fra thame of divers ballis and merchandice, specifiit and contenit in the saidis summondis, as at mair lenth is contenit in the saidis lettres ; the saidis persewaris comperand be Guilliame Lanbier, thair procuratoure, and the said Thomas comperand be Maister Clement Litill, his procuratoure, quha allegit that the said actioun is civill and suld be decydit befoir the Lordis of Sessioun, and that the Quenis Grace and Lordis of Secreit Counsall ar nocht jugeis competent, and thairfoir aucht to proceid thairin.

Maister David Makgill, prelocutour for the said Guilliame Lanbier, procuratour foresaid, allegit that the deliverance of the copy of the decreit is accident to the principale actioun dependand befoir the Quenis Grace and Lordis foirsaidis, and thairfoir proces aucht to be had theirin.

The Lordis repellis Maister Clementis allegiance.

Maister Clement protestit for remeid of law.

Maister Clement allegit that the said Thomas being callit of befoir to produce the Court buke quhairin the said decreit is contenit, producit the samyn befoir the saidis Lordis; and quhat thingis concernyng that proces wes lykewyise producit, and thairfoir suld be na ferther compellit to produce ony uther proces.

Maister David allegis that na sik decreit is contenit in the buke producit as is libellit, and thairfor ferther proces suld be had.

Maister Clement denyit that ony sik rolment of Court as is abone specifiit is the handis of the said Thomas, bot onlie the rolment of Court contenit in the buke ellis producit be him befoir the Quenis Grace and Lordis foirsaidis; thairfoir hir Majestie and Lordis of Secreit Counsale foirsaidis admittis the saidis lettres and contentis thairof, tueching the decreit foirsaid allegit gevin be the said Thomas in maner abonewrittin to the saidis persewaris probatioun, and for preving thairof, assignis to thame the ferd day of Februar nixt to cum, with continuatioun of dayis, and ordanis thame to have lettres to summond sik witness, and to produce sik richtis, writtingis, and documentis as thai will use for verefying of thair content in the said mater the said day, and in the meintyme continewis the said mater in the samyn forme, force, and effect as it is now, but prejudice of partie to the said day; and the saidis procuratouris warnit apud acta, and lettres to be direct heirupoun gif neid beis.

Apud Linlythquow, xxiiij° Januarii, anno, etc. lxj°.

Forsamekle as the Quenis Majestie, be avise of the Lordis of hir Secreit Counsale, directit hir lettres commanding all and sindrie Archbischoppis, Bischoppis, Abbottis, Priouris, Denis, Archdenis, Personis, Vicaris, and all uther beneficit men, thair factouris, fermoraris, and takkismen, to compeir befoir hir Hienes and Lordis foirsaidis, at Edinburgh, or quhair it suld happin thame to be for the tyme, sa mony as duellis upoun this syde of the Month the xxiiij day of Januar instant, and thai that duellis beyond the Month the tent day of Februar nixt to cum, that the just avale of thair benefices may be knawin, sua that thaireftir hir Grace mycht tak ordoure for sustenyng of the ministeris of the pure and publict besines of the realme; and becaus the Quenis Majestie is presentlie occupiit in uther effaris, and may nocht attend hir self upoun the ressait of the saidis rentalis, Thairfoir hir Heines hes gevin and grantit, and be thir presentis gevis and grantis, full power and commissioun to Maister James Makgill of Rankelour Nether Clerk of Register, Schir Johne Bellenden of Auchnowle Knycht Justice-Clerk, Thesaurar, Secretar, Advocatt, and Lard of Pittarro, to call

befoir thame, within the burgh of Edinburgh, all and sindrie Prelattis and beneficit men, quha ar chargit be vertew of the saidis lettres, and now being in Edinburgh, or that hireftir sal happin to repair thairto, thair factouris and fermoraris, and thair inquire of thame the rentalis of thair benefices, and ressave the samyn fra thame to the effect foirsaid; and siclyke that the saidis Commissionaris cause warne all Superintendentis, Eldaris, and Deaconis, to gif to thame the names of the hale ministeris of this realme, that the just calculatioun being considerit and maid be the saidis Commissionaris of the avale of the saidis benefices, thai may report the samyn to the Quenis Majesty, that hir Hienes may take ordour thairin, according to the tennour of the first ordinance maid thairupoun.

Apud Edinburgh, vj^to^ Februarij, anno, etc. lxj°.

Sederunt. Georgius Comes de Huntlie. Archibaldus Ergadie Comes. Joannes Atholie Comes. Jacobus Comes de Mortoun. Willelmus Comes de Montrose. Jacobus Commendatrius Sancti Andree et Pittinweme. Willelmus Maitland junior de Lethington, Secretarius. Joannes Ballenden de Auchnoule, Miles, Clericus Justiciarie.

The quhilk day, anent the terme assignat be the Quenis Majestie and Lordis of hir Secreit Counsale, to Barnabe de Myrand [here follow the other names in page 195, for whom appearance is again entered in the same words and style, slightly abbreviated]; and als comperit the said Thomas Kennedy of Bargany, and Maister Thomas M°Calyean, his prelocutour, quha allegit that the said decreit allegit gevin in manner foirsaid, nocht grantand the samyn, aucht to be provin be writt and nocht be witnes.

Maister David Makgill, prelocutour for the said Guilliame Lanbier, procuratour foirsaid, allegit that the principale actioun is intentit aganis the said Thomas Kennedy of Bargany, quha is the gevar and pronuncear of the said decreit, and that the pronuncatioun thairof wes befoir the writting of the samyn, and standis in facto, and thairfoir auch to be provin be witnes; and als allegit that the said decreit mycht be utherwyise writtin in the Court buke nor it wes pronuncit, and thairfoir the said decreit aucht to be admittit to be provin be witnes as said is.

The said Maister Thomas M°Calyean allegit that the decreit aucht to be provin be writt, for the caussis contenit in his first allegeance, and becaus na sik writing is producit for verefying thairof, desyrit interlocutour of the Quenis Majestie and Lordis thairupoun.

The Quenis Majestie and Lordis foirsaidis, be thair interlocutour pronuncit that for preving of the said decreit be witnes thai wald mak na preparative, bot for thair informatioun wald ressave sa mony of the witnes to be producit as thai thocht expedient, referrand thair depositionis to be dismissit with the principall caus.

The said Quenis Majestie and Lordis foirsaidis continewis the said mater, in the samyn forme, force, and effect as it is now, but prejudice of partie, to the vij day of Marche nixt to cum, with continuatioun of dayis, and ordanis the said persewaris and thair procuratoure foirsaid to haif lettres to summond the witnes quhilkis wer summond of befoir and comperit nocht, and utheris, gif neid beis, to compeir the said day, with continewatioun of dayis, to beir leill and suithfast witnessing in sa fer as thai knaw or shalbe sperit at thame, in the said mater: That is to say, the saidis personis quhilkis were summond of befoir and comperit nocht, under the pane of rebellioun and putting of thame to the horne, with certificatioun to thame and thai failye thairin, lettres salbe direct to put thame to the horne, becaus thai wer summond thairto of befoir and comperit nocht; and the remanent personis foirsaidis under all hiest pane and charge that eftir may follow; and the said Thomas Kennedy of Bargany, and the said Guilliame Lanbier, procuratour foirsaid, warnit apud acta.

Maister Clement Litill, prelocutour for the said Thomas Kennedy of Bargany, disassentit to the ressaving of the witnes for preving of the ponitis of the saidis lettres, and protestit that the ressaving of thame be nocht hurtfull nor prejudiciall to thame in any sort.

Witnessis producit for the part of the said Frenchmen.

Maister James Colvill: Admiss.

James Kennedy of Auchterlure, aganis quhome it wes allegit be Maister Clement Litill, prelocutour for the said Thomas, that the said James coft of the gudis allegit takin fra the saidis Frenchmen, fra Johne Cant in Leyth, and be his declaratioun may win, gif ane decreit be gevin aganis the said Thomas, he sall eschew all skaith and danger that may follow be taking of the saidis gudis.

Johne Cant: Be interloquitour repellit.

Peter Thomesoun, herold: Admiss.

The said Maister Clement protestit that he be saying aganis the said witnes he consentis nocht to the ressaving of thame, bot alluterlie disassentis thairfra, and protestit that the ressaving of thame be nocht hurtfull nor prejudiciall to the said Thomas be ony way as said is.

The samyn day, the Quenis Majestie, be avyse of the Lordis of hir Secreit Counsale, understanding that the Tolbuyth of Edinburgh is ruinous, and hable haistalie to decay and fall doun, quhilk wil be verray dampnable and skaithfull to the people duelland thairabout, and reparand towart the samyn, nocht onlie in destructioun of thair houssis, bot als greit slauchter of sindrie personis happin and chance thairthrow, without haistie remeid be providit thairin; thairfoir hir Hienes, with avyise foirsaid, ordanis ane

maser to pas and charge the Provest, Baillies, and Counsale of the said burgh of Edinburch, to caus put werkmen to the taking doun of the said Tolbuyth, with all possible diligence, for the caus foirsaid, as thai will ansuer to hir Hienes thairupoun, at thair uter charge; and in the meintyme that thai provide sufficient houssis and rowmes reparit as efferis, for the Lordis of Sessioun, Justice, and Scheref, for ministering of justice to the liegis of the realme.

Apud Edinburgh, xij° Februarij, anno, etc. lxj°.

Sederunt. Georgius Comes de Huntlie. Archibaldus Comes Ergadie. Jacobus Comes de Mar. Willelmus Marescalli Comes. Joannes Atholie Comes. Alexander Comes de Glencarne. Jacobus Comes de Mortoun. Joannes Dominus Erskin. Joannes Ballenden de Auchnowle, Miles, Clericus Justiciarie.

The quhilk day, forsamekle as be statute and ordinance maid be the Quenis Majestie and Lordis of Secreit Counsale and hir Hienes lettres direct thairupoun, all and sindrie Archbischoppis, Abbottis, Commendataris, Priouris, Archdenis, Denis, Subdenis, Chantouris, Subchantouris, Provestis, Personis, Vicaris, and utheris beneficit men of this realme, wer chargit to exhibit and produce the rentalis of thair benefices befoir hir Majestie and Lordis foirsaidis, in maner following; That is to say, the saidis beneficit men on this syde of the Month the xxiiij day of Januar last bipast, and on the uther syde of the Month the tent day of Februar instant; to that effect that ordoure mycht be takin thairin conforme to the said ordinance, with certificatioun to thame and thai failyeit, the Quenis Majestie and Counsale wald tak ordoure thairin as the samyn ordinance beris. Nochtwithstanding the quhilk, and that the Quenis Majestie and Counsale and utheris appointit be hir for ressaving of the saidis rentalis, hes continualie sen the said xxiiij day of Januar awaititt upoun the ressaving thairof; yit ane verray small nowmer of thame hes producit the saidis rentalis, contempnand thairthrow nocht onlie hir Graces ordinance and proclamatioun foirsaid, bot als hir self and hir autorite, lyke as thai wer princes and nocht subjectis, expres aganis ressone, equitie, and justice. For remeid quhairof, the Quenis Majestie ordanis, be avyse of the Lordis of hir Secreit Counsale, that factouris and chalmerlanis be appointit to intromett, gadder, uplift, and ressave to oure Soverane Ladeis use, all and sindrie males, fermes, teindis, rentis, proventis, emolumentis, canis, proffittis, and dewiteis, of quhatsumevir benefices, quhairof the rentalis ar nocht producit conforme to the said ordinance. And gif ony rentale ellis producit beris nocht the just avale, bot is fraudefullie maid, to intromett and uptake samekle of the fruitis and proffittis of the saidis benefices as ar omittit furth of the said rentale, and the ingevaris of the rentalis and possessouris of the benefices thairof, sall never haif actioun to craif, clame, or ressaif fra the tennentis and possessouris forther nor is contenit in the saidis rentalis ellis producit be

thame. And the saidis tennentis and possessouris sall na wyise be haldin to pay ony mair for thair rowmes to the possessouris of the saidis benefices and ingevaris of the saidis rentalis nor is contenit in the samyn rentalis ellis producit, as said is; and that the saidis factouris and chalmerlanis to be appointit be the Quenis Majestie sall have sufficient power to intromett and uptake fruitis and proffittis foirsaidis, siclyke as gif speciale lettres of factorie and chalmerlanrie wer grantit to thame thairupoun, and ordanis the Lordis of Sessioun to direct furth lettres at the saidis factouris and chalmerlanis instance, owther hornyng or poinding as shalbe thocht expedient, for causing of thame to be ansuerit of the frutis of the saidis benefices to be furthcumand to the Quenis Majesteis behuif, quhill forther ordoure be takin thairin.

The samyn day, forsamekle as the Quenis Majestie and Lordis of Secreit Counsale, understanding that in the spring of the yeir, callit Lentryne, all kyndis of flesche debilitatis and decayis, and growis out of seasoun, that thai ar nocht than meit for eiting; and als that be the tempestuous stormys of the last winter and utheris precedand, the hale gudis ar sa trakit, smorit, and deid, that the prices of the flesche ar rissin to sik extreme derth that the like hes nocht bene sene within this realme; and gif sik derth continew it will be to the greit hurt of the commone weill thairof. For remeid of the quhilk, it is statute and ordanit be the Quenis Majestie, with avyse of the Lordis of hir Secreit Counsale, that nane of hir Graces liegis of quhat estait or conditioun that evir thai be, except sik as ar vesit with extreme seiknes, eit ony kynd of flesche in ony tyme heireftir, fra the publicatioun of this present ordinance quhill the xxix day of Marche nixt to cum, under the pane of ten pundis for the first falt, tuentie pundis for the nixt falt, and confiscatioun of all thair movable gudis to oure Soverane Ladeis use for the thrid falt; and ordanis lettres to be direct to officeris of the Quenis schereffis in that part, chargeing thame to pass to the mercat croces of the burrois of Edinburgh, Linlythquow, Striviling, Glasgow, Dunbertane, Renfrew, Air, Irwin, Wigtoun, Drumfreis, Kirkcudbrycht, Peblis, Selkirk, Jedburgh, Lauder, Hadingtoun, Lanerk, Perth, Cowpar, Sanctandrois, Dunde, Forfar, Montrose, Abirdene, Elgin, Fores, Invernes, Clackmannane, Kinroschire, and all utheris burrowis of this realme, and utheris places neidfull, and thair be oppin proclamatioun in oure Soverane Ladeis name and autorite, command and charge all and sindrie hir Graces liegeis, that nane of thaim tak upoun hand to eit ony flesche in ony tyme heireftir, quhill the said xxix day of Marche nixt to cum, except sik personis as ar vesit with extreme seiknes, vnder the pane foirsaid; and that na flescheouris, oistlaris, cukis, tavernaris, or utheris personis, sell ony maner of flesche to ony of the liegis of this realme, under the pane of confiscatioun of all thair movabill gudis to oure Soverane Ladeis use for thair contemptioun.

The samyn day, forsamekle as be tempest and stormis of wodder fallin

this last wynter, the maist part of the scheip of Scotland ar perissit and deid, quhilk caussis the derth thairof sa to increse that the pouer can nocht gudlie abyde the samyn ; and gif the lammis be lykewyise waistit and consumit, the derth sall nocht onlie incres, bot als the scheip of the cuntre sall sa decay that few or nane shalbe left thairin, for sustenyng of the liegis of this realme : For remeid quhairof, it is statute and ordanit be the Quenis Majestie, with avyse of the Lordis of hir Secreit Counsale, that na maner of lammis be slane or eittin, be ony of the liegis of this realme, for the space of thre yeris nixt to cum, under the pane of eschet-ing of all the movable gudis of the personis controvenaris of this present ordinance, statute, and act, to our Soverane Ladeis use, and ordanis lettres to be direct to officeris of the Quenis, Schereffis in that part, chargeing thame to pas to the Mercat Croces of Edinburgh, Linlythgw, Strivling, and utheris places neidfull, and thair be oppin proclamatioun in oure Soverane Ladeis name and autorite, command and charge all and sindry flescheouris and manglaris of flesche, and utheris oure Soverane Ladeis liegis, that nane of thame tak upoun hand to sla or eit ony maner of lammis, fra this tyme furth for the space of thre yeris nixt to cum under the pane foirsaid ; and to charge all and sindrie oure Soverane Ladeis Schereffis, Stewartis, Crownaris, and thair Deputis, Provestis, Auldermen and Baillies of Burrois, diligentlie to serche quhair ony personis beis fundin brekkand this present ordinance, and to report the samyn to our Soverane Ladeis Thesaurar, that the panis abonewrittin may be execute upoun the saidis brekaris, under the pane of tinsell of thair office.

Apud Edinburgh, xiij° Februarii, anno, etc. lxj°.

In presence of the Quenis Majestie, comperit Johne Stewart of Tracquair, Knycht, and become cautioun and souirtie for Thomas Turnbull of Beth-roule, Knycht, that he at the nixt day of trew sall enter to the wardane, and relief him of ane bill fylit upoun him of thre horsis takin fra the Lord Gray, with the dowble and saufer thairof, under the pane of ane thousand pundis, and the said Lard of Bethroule oblist him to releif the said Johne Stewart of Tracquaire, Knycht, thairof.

Apud Edinburgh, xv^to^ Februarij, anno, etc. lxj°.

Sederunt. Georgius Comes de Huntlie. Archibaldus Ergadie Comes. Jacobus Comes de Mar. Joannes Atholie Comes. Jacobus Comes de Mortoun. Willelmus Marescalli Comes.

The quhilk day, forsamekle as the Quenis Majestie, be the avyse of the Lordis of hir Secreit Counsale and utheris divers of the nobilitie, had of befoir upoun the xxij day of December last bipast, ordanit that gif the fourt part of the frutis and rentis of all the benefices within this realme wer nocht sufficient for the support of hir Majestie, and uther particular chargis underwrittin necessar to be borne for the tranquillitie of the cuntre, then the thrid part of the saidis frutis, mair or less, suld be takin

up to the effectis foirsaidis ; and attoure, ordanit lettres to be direct, chargeing all and sindrie beneficit men on this syde of the Month, to produce thair rentalis upoun the xxiiij day of Januar last bipast ; and the tent day of Februair instant wes prefixt be the saidis lettres for inbringing of all rentalis of the benefices beyond the Month, with certificatioun that quha producit nocht the saidis rentalis at the dayis foirsaidis respective, the Quenis Majestie and hir Counsale wald provide remeid ; according to the quhilk certificatioun, hir Hienes, with avyse of hir Counsale foirsaid, hes ordanit that thai quha hes nocht producit thair rentalis, hale and full intromissioun salbe had of thair frutis, be thame quha hir Majestie sall direct thairto ; and quha hes nocht gevin in thair just rentalis, quhatsumevir part omittit in thair saidis rentalis salbe intromettit with in lyke maner ; and forther having consultit ryplie, and diligentlie avysit upone the commone effaris and necessiteis, concernyng the Quenis Majestie, and chargis to be borne for the commone weill of the realme, and sustentatioun of the precheouris and readaris, conforme to the said ordinance maid thairupoun of befoir ; hes fundin and declarit the hale thrid partis of all benefices within this realme, of the quhilkis the rentalis ar producit, to be takin up be the persone or personis to be nominat be hir Majestie, and to begin upoun this last crope of the yeir of God j^{m}v^{c}lxj yeris, the samyn to be employit to the effect foirsaid, togidder with the hale frutis of the benefices, quhairof the rentalis ar nocht producit ; and alsua of samekle as is omittit in the rentalis producit ; and that ordoure be directit be the Quenis Majestie to the Lordis of Sessioun, that the auld possessouris may be ansuerit of the remanent frutis of the saidis benefices, providing that the thrid part foirsaid be full and hale takin up be the personis to be depute to the uptaking thairof ; and this ordoure to continew and stand ay and quhill forther ordoure be takin be the Quenis Majestie with avyse of hir Estaitis. Mairour hir Hienes, be the avyse of hir Counsale foirsaid, hes statute and ordanit that all annuellis, males, and dewiteis within fre burrowis or utheris townis of this realme, alsweill pertenyng to chapellanreis, prebendariis as to freris, togidder with the rentis of the freris landis quhairevir thai be, setting and disponyng thairupoun, be intromettit with and takin up be sik as hir Grace sall depute thairto, for employing of the same be hir Hienes to hospitaliteis, scolis, and utheris godlie usis as sall seme best be hir Hienes, be the avyse of hir Counsale : And knawing that nathing is mair commodious for the said hospitalitie, nor the places of freris, as yit standand undemolissit, as als to the intertenyng of scolis, collegis, and utheris usis foirsaidis, ordanis the Provest and Baillies of Abirdene, Elgin in Murray, Invernes, Glasgow, and utheris burrowis of this realme quhair the samyn ar nocht demolissit, to interteny and uphald the saidis freris places standand in the saidis townis, upon the commone gudis thairof, and to use the samyn to the commone weill and service of the saidis townis, ay and quhill the Quenis Majestie be forther avysit, and tak finale ordour in sic thingis ; nochtwithstanding ony uther gift, title, or interes, gevin to quhatsumevir

personis, of the saidis places, with thair yardis, orchardis, and pertinentis, be our Soverane Lady of befoir.

The Quenis Majestie ordanis Maister Johne Spens of Condy, Advocatt to hir Hienes, to intromett with the hale males, fermes, cayins, profittis, and dewiteis, of the landis and lordschip of Abirnethy, mylnis, pendiclis, and pertinentis thairof, of this instant yeir of God j^{m}v^{c}lxj yeris, and siclyke in tyme cuming, and to retene and keip the samyn in his handis and keping, undeliverit to George Dowglas or ony uther persone or personis clamand title thairto, quhill it be decydit be the law quhilk of thame hes maist rycht thairto, sua that the samyn may than be deliverit to the partie fundin havand maist rycht to the samyn.

Apud Edinburgh, xx° Februarij, anno, etc. lxj°.

In presence of the Quenis Majestie and Lordis of Secreit Counsale, comperit James Erle of Arrane,—and being inquirit gif he wald keip the treatie maid and takin betuix the Quenis Majestie, and umquhile hir derrest spous the maist Christin Kingis Commissionaris on that ane part, and the nobilitie of this realme on that uther part, and specialie that point and part thairof berand that it sall nocht be lesum to thame that hes bene callit of the Congregatioun, and thai that wer nocht callit of the same, to reproche ane ane uther for quhatsumevir thingis that hes bene done sen the vj day of Marche the yeir of God j^{m}v^{c}lviij yeiris, and namelie to James Erle Bothuile, in respect of the variance and debait standand betuix thame;—declarit that he wald keip the said treatie in all pointis to all the liegis of this realme; and albeit he belevit the said treatie extendit nocht to the said variance standard betuix him and the said Erle Bothuile,—yit becaus the saidis Lordis of Secreit Counsale declarit that the said variance wes comprehendit under the said treatie, and that the Quenis Majestie commandit the said Erle of Arrane to keip the samyn in all pointis,—he, willing to schaw him ane obedient subject, in presence of hir Majestie, promittit to keip the samyn treatie, and specialie to the said Erle Bothuile; and to mak nor gif na occasioun of brek thairof, sua that hir Majesteis service suld na wyise be stayit, nor commone quietnes trublit; and siclyke, the Quenis Majestie and Lordis of Secreit Counsale foirsaidis, hes promittit that the said treatie and all pointis contenit thairin shalbe observit and kepit to the said Erle of Arrane and his freindis be all the liegis of this realme.

Apud Edinburgh, xxj° Februarij, anno, etc. lxj°.

The Lordis of Secreit Counsale and utheris of the nobilitie of this realme being present, understanding that in the treatie takin betuix oure Soverane and hir umquhile derrest spousis Commissionaris on that ane part, and the nobilitie of this realme on that uther part, be speciale article it is providit, that gif ony of the liegis of this realme wald cum aganis the said treatie,

quhairin speciale mention is maid that thai quhilkis hes bene callit of the Congregatioun, and thai that wes noct of the same, sall nocht reproche ane ane uther for quhatsumevir thingis that hes bene done sen the vj day of Marche the yeir of God j^{m}v^{c}lviij yeris, the remanent and all the rest of the people salbe inemyis unto the persone brekar thairof, and sall follow him to chastin and punis him according to his deserving, as the said treatie and article specifiit thairin beris; under the quhilk the saidis Lordis hes declarit, that the variance standand betuix James Erle of Arrane, his kin and freindis, on that ane part, and James Erle Bothuile, his kin and freindis, on that uther part, is comprehendit, and that thai, nor nane of thame, thairfoir aucht nor suld reproche nor persew utheris for ony caus bigane: Thairfoir the saidis Lordis and utheris of the nobilitie present bindis and oblissis thame, that gif ony of the saidis parties reproche, invaid, or persew utheris for ony caus bigane, that thai salbe inemyis to the persone brekker or controvenir of the said treatie, and follow thame to be chastynnit and punist thairfoir, according to thair deserving, and to the said treatie.

Apud Edinburgh, ultimo Februarii, anno, etc. lxj°.

Sederunt. Georgius Comes de Huntlie. Archibaldus Comes Ergadie. Jacobus Comes de Mar. Jacobus Comes de Mortoun. Willelmus Marescalli Comes.

The quhilk day, forsamekle as be act and ordinance of the Quenis Majestie with avyse of the Lordis of hir Secreit Counsale, and lettres past thairupoun, the beneficit men on this syde of the Month wer ordanit and chargit to produce thair rentalis of thair benefices befoir the Quenis Grace and Lordis foirsaidis the xxiiij day of Januar last bipast, and the tent day of Februar instant wes prefixt be the saidis lettres for inbringing of all rentalis of the benefices beyond the Month,—to the effect that it mycht be knawin howmekle thairof wer sufficient support of hir Majestie, the commone effaris, sustenying of the precheouris and readaris, conforme to the said ordinance, and uther particular charges necessarlie to be borne for the tranquillitie of the realme; with certificatioun that quha producit nocht the saidis rentalis at the dayis foirsaidis respective, the Quenis Majestie and hir Counsale wald provide remeid. According to the quhilk certificatioun, hir Hienes, with avyse of hir Counsale foirsaid, hes ordanit that thai that hes nocht producit thair rentalis hale and full, intromissioun salbe had of thair frutis be thame quhame hir Majestie sall direct thairto; and quha hes nocht gevin in thair just rentalis, quhatsumevir part omittit in thair saidis rentalis salbe intromittit with in lyke maner: And forther, having consultit ryplie and diligentlie avysit upoun the commone effaris and necessiteis concernyng the Quenis Majestie and chargis foirsaidis, to be borne in maner abone rehersit, hes fundin and declarit the hale thrid partis of all benefices within this realme, of the quhilkis the rentalis ar producit, to be takin up be the persone or personis to be nominat be hir Majestie, and to

begin upoun this last crope the yeir of God j^{m}v^{c}lxj yeris, as the statute and ordinance maid thairupoun at mair lenth proportis; and becaus the Quenis Majestie and Counsale foirsaid, understanding and perfytlie knawing,—that the auld possessouris, be vertew of lettres purchest and rasit be thame of auld on that ane part, and certane utheris personis pretendent thame to be constitute collectouris and factouris in the Quenis Majesteis absence, to the frutis of the benefices, be vertew of lettres purchest be thame conforme thairto on the uther part,—tendis to intromett with the hale frutis of the saidis benefices, alsweill of yeris and termes bigane as to cum, expres aganis the tennour of the said ordinance, to the greit hurt and hinder of the common effaris and weill of the realme, tranquillitie and quietnes thairof, and aganis justice. For remeid quhairof, the Quenis Majestie, with avyse of hir Secreit Counsale, ordanis lettres to be direct to hir Hienes officeris, Schereffis in that [part], chargeing thame to pas to all parroche kirkis and mercat croces of the burrowis of this realme, and utheris places neidfull, and thair be oppin proclamatioun in hir Hienes name and autorite, command and charge all and sindrie parrochinaris, takkismen, telismen, fewaris, rentallaris, possessouris and byaris, intromettouris with quhatsumevir teindschaves and utheris teindis, fruitis, rentis, proventis, emolumentis, males, fermes, fischeingis, cayne fowlis, areages, careages, gressumes, and utheris dewiteis of quhatsumevir kirkis, alsweill personages as vicarages, chapellanreis, landis, rowmes, and possessionis pertenyng to ony beneficit man within this realme, alsweill frearis landis, annuellis, or utheris,—that nane of thame tak upoun hand to ansuer, intend, or obey to ony beneficit man, thair chalmerlanis or factouris, or to ony of the collectouris or factouris constitute in the Quene Majesteis absence, to the uplifting of the saidis frutis, thair servandis or chalmerlanes in thair names, of the saidis teindscheaves, and utheris teindis, frutis, rentis, proventis, emolumentis, males, fermes, cayne fowlis, areages, careages, gressumes, or uther dewiteis, of quhatsumevir kirkis, alsweill personages as vicarages, chapellanreis, landis, rowmes, fischeingis, coilheuchis, and possessionis pertenyng to ony beneficit man within this realme, be quhatsumevir lettres past, owther under the Quene Majesteis signet or subscriptioun manuale, be deliverance of the Lordis of Sessioun, Lordis of Privie or Secreit Counsale, or ony uther maner of way precedand the first day of Marche nixt to cum; but that thai retene, keip, and hald the saidis males, fermes, and dewiteis foirsaidis, in thair handis undeliverit to the saidis beneficit men, thair chalmerlanis or factouris, or to ony of the saidis collectouris or factouris constitute in the Quene Majesties absence, unto the tyme thai be chargit of new be lettres past be deliverance of the Lordis of Sessioun, daitit eftir the said first day of Marche nixt to cum; with certificatioun to thame that failyeis heirin, thai salbe compellit to refound and pay agane to the Quenis Majestie, and utheris as sal be appointit be hir thairto, the dowble of thair saidis males, fermes, teindis, and dewiteis. And als to charge all and sindrie Schereffis, Stewartis, Baillies, Heraldis, Pursevandis, Messengeris, and

utheris, our Soverane Ladeis officiaris, that nane of thame tak upoun hand to execute ony lettres purchest at the instance of ony beneficit man, thair chalmerlanis or factouris, or at the instance of ony uther collectoure, or factoure constitute for uplifting of the saidis frutis, datit befoir the said fyft day of Marche nixt to cum, under the pane of tinsale of thair offices and deprivatioun of thame fra all forther using of the said office in tyme cuming.

Apud Edinburgh, xix° Maij, anno, etc. lxij°.

Sederunt. Jacobus dux de Chattellarault, etc. Archibaldus Ergadie Comes. Jacobus Comes de Mar. Willelmus Marescalli Comes. Joannes Atholie Comes. Jacobus Comes de Mortoun. Joannes Dominus Erskin. Joannes Ballenden de Auchnowle, Miles, Clericus Justiciarie. Magister Jacobus Makgill de Nether Rankelour, Clericus Registri. Magister Robertus Richardsoun, Thesaurarius. Willelmus Maitland de Lethingtoun, Junior, Secretarius.

The quhilk day, in presence of the Quenis Majestie and Lordis foirsaidis, being assemblit, and the estait of the tua realmes of Scotland and Ingland considerit, and how neidfull it is that the amitie and freindschip standand continew betuix the Quene oure Soverane and the Quene of Ingland, thair subjectis and realmes; and it being inquirit be the Quenis Majestie at the saidis Lordis to declair thair counsale gif it be necessar that hir Majestie meit the Quene of Ingland for intertenying of the amitie, declarit that gif hir Grace thocht her awin persone to be ony way in suirtie upone ony promyis or uther conditioun to be maid be the Quene of Ingland to hir Hienes, quhilk thai remittit to her awin hart and gude will, that na thing is mair necessar for intertenyng of the amitie nor that hir Grace meit with the said Quene at sik tyme as may be appointit thairto.

Apud Edinburgh, xxj° Maij, anno, etc. lxij°.

Sederunt. Dicti Domini.

The quhilk day, in presence of the saidis Lordis, comperit Walter Ker of Cesfurd, Knycht, Andro Ker of Cavertoun, Knycht, his sone, and band and oblist thame that be thame selffis, thair kin, freindis, tennentis, nor servandis, suld na wyise enter to the house of Ancrum, landis nor rowmes pertenyng thairto, nor yit mak molestatioun, stop, truble, nor impediment to the Erle Bothuile, his tennentis or servandis in his name, in bruking thairof, without speciale licence of the said Erle, or title had be thame thairupoun; and thairfoir the saidis Lordis ordanis James Ormistoun of that Ilk, quha laitlie enterit to the said hous be him self and his servandis, to remoif, devoyd, and red him, his familie and servandis, furth of the samyn, betuix this and Monunday at evin nixt to cum, and to leif onlie

ane plowman thairin for lauboring of the ground, and on na wyise to enter to the samyn thaireftir with ony cumpany, as he will ansuer to the Quenis Grace thairupoun at his uter charge.

The samyn day, in presence of the Quenis Majestie and Lordis of Secreit Counsale, comperit Kenyeouth M°Kinzie of Kinteull, quha being commandit be lettres and als be writtingis direct fra the Quenis Grace, to exhibit produce and present befoir hir Hienes, Marie M°Cloyde, dochter and air of umquhile Williame M°Cloyde of Harich, conforme to the lettres and chargis direct thairupoun; and declarit that James M°Coneill had ane actioun dependand befoir the Lordis of Sessioun aganis him for deliverance of the said Marie to him, and that thairfoir he culd nocht gudlie deliver her. Nochtwithstanding the quhilk, the Quenis Majestie ordanit the said Kenyeouth to deliver the said Marie to hir Hienes; and grantit that he suld incur na skaith thairthrow at the handis of the said James or ony utheris, nochtwithstanding ony title or actioun thai had aganis him thairfoir. And the said Kenyeouth, knawand his detfull obedience to the Quenis Majestie, and that hir Grace had ordanit him to deliver the said Marie to hir Hienes in maner foirsaid, quhilk he on na wyise culd dissobey; and thairfoir deliverit the said Marie to the Quenis Majestie, conforme to hir ordinance foirsaid.

Apud Edinburgh, xxvj^to^ Maij, anno, etc. lxij°.

Sederunt. Joannes Atholie Comes. Willelmus Marescalli Comes. Jacobus [Comes] de Mar. Magister Jacobus Makgill de Nether Rankelour, Clericus Registri. Joannes Ballenden de Auchnoule, Miles, Clericus Justiciarie.

The quhilk day, in presence of the saidis Lordis, comperit George Dowglas younger and fear of Bonjedburch, and become cautioun and souirtie for George Turnbull of Barnhillis, that he sal enter his persone in ward within the castell of Dunbar within xxiiij houris nixt eftir this houre, quhilk is foure eftir none, under the pane of ane thousand markis.

Apud Edinburgh, penultimo Maij, anno, etc. lxij°.

Sederunt. Willelmus Marescalli Comes. Jacobus Comes de Mar. Jacobus Comes de Mortoun. Joannes Atholie Comes. Magister Jacobus Makgill, Clericus Registri. Joannes Ballenden de Auchnoule, Miles, Clericus Justiciarie.

The quhilk day, in presence of the Lordis of Secreit Counsale, comperit Guilliame Lanbier, procuratoure for Barnabe de Myrande and his collegis, merchandis of the toun of Nantis, and Maister David Makgill his prelocutoure; and being requirit be the saidis Lordis to produce the commissioun direct to the Senescall of Nantis for examinatioun of witnes,

and deductioun of the probatioun, in the mater persewit be thame aganis Thomas Kennedy of Bargany befoir the saidis Lordis, in respect that the terme assignit to that effect wes of lang tyme bipast, allegit that the said commissioun and deductioun of probatioun is in ane schip lyand presentlie in the raid foranent Leyth, and thairfoir desyrit the saidis Lordis that Monunday the first day of Junij nixt to cum be assignit to thame to produce the samyn befoir thame; quhairto it wes ansuerit be the said Thomas Kennedy of Bargany and Maister Thomas M°Calyean, his prelocutoure, that the tent day of Marche last bipast wes assignit to the said Guilliame, and remanent procuratouris of the saidis merchandis, to report the said commissioun and probatioun; and that the said Thomas of befoir eftir the said tent day, in Sanctandrois, requirit the said commissioun and probatioun to be producit befoir the saidis Lordis, conforme to the act of assignyng of the said terme to thame to that effect; and that thai on na wyise than did nor yit now dois the samyn; and thairfoir protestit for circumductioun of the said terme, and that the said commissioun and probatioun suld na wyise heireftir be ressavit, conforme to the lawis and practick of this realme. And als the said Thomas tuke instrumentis that the saidis procuratouris schew na lettres dewlie execute quhair witnes wer summond to compeir for preving of thair intent in the said mater, conforme to the assignatioun of the said terme; and thairfoir protestit as is abone writtin. The saidis Lordis continuis the pronunceing of thair interlocutoure in the said mater to the said first day of Junij nixt to cum, and the said Guilliame Lanbier, procuratoure foirsaid, and the said Thomas, warnit apud acta to compeir the said day to heir the said interloquutour pronuncit.

The samyn day the said Thomas Kennedy of Bargany and Maister Thomas M°Calyean his prelocutoure, tuke instrumentis that na thing wes producit be Guilliame Lanbier procuratoure for Barnabe de Myrande and his collegis, for preving of the geving of ane decreit be the said Thomas in his Admirall Court, tueching the schip and gudis pertenyng to the saidis merchandis, conforme to the lettres rasit be thame thairupoun, and thairfoir protestit for circumductioun of the terme, and that na probatioun be ressavit heireftir, conforme to the lawis and practik of this realme.

Apud Edinburgh, ultimo Maij, anno, etc. lxij°.

The quhilk day the Quenis Majestie remembring that sone eftir hir first arrywell and hayme cuming in this cuntre, understandand the greit inconvenientis that mycht cum for the divisioun standing in this realme, be difference in materis of relegioun, and being desyrous to se the same pacifiit be ane gude ordoure to the honoure of God and tranquillitie of the realme, mynding to tak the same be the advyise of the Estaitis sa sone as convenientlie thai mycht be assemblit, directit hir Majesteis lettres, proclamatiounis, and charges throughout hir haill realme, straitlie command-

ing all hir liegis, that thai and every ane of thame suld contene thame selfis in quietnes and kepe peace and civile societie amangis thame selfis; and in the meintyme, quhill the Estaitis of the realme mycht be assemblit, and that ane finall ordoure be thair advyse and publict consent mycht be takin in the said maters, that nane of the saidis liegis suld tak upoun hand privalie nor oppinlie to mak ony alteratioun or innovatioun of the stait of religioun, or attempt ony thing aganis the forme quhilk hir Majestie fund publictlie and universallie standing at hir arryvall in this realme, under the pane of deid, with certificatioun that gif ony suld cum in the contrair thairof, he suld be haldin ane seditious persone and rasar of tumult. And albeit the same wes dewlie proclamit, sua that nane can pretend ignorance thairof, nocht the less it is quhisperit and murmurrit that sum suld forgett thair devoyr sa fer as to attempt to controvene the same, be innovating of the religioun and ministratioun of the sacramentis, utherwyise than be publict forme foirsaid, quhilk wes at hir Majesteis arrywall; and becaus the controventioun, gif it be permittit to proceid unpunissit, may nocht onlie engender maist hie contempt of hir Majesteis authoritie, but also raise tumult and seditioun within the realme, to the greit hinder of hir Hienes gude mynd and purpois intendit for pacifying of sik materis, and taking of ordour thairin be the advyse of the Estaytis as said is; thairfoir ordanis lettres to be direct, chargeing yit as of befoir all and sindry hir liegis,—of quhatsumevir estait, qualitie, or conditioun thai be of, be oppin proclamatioun, at the mercatt croces of all burrowis of the realme, and utheris places neidfull,—that thai and every ane of thame, sa fer as in thame lyis, endevoyr thame selfis to observe and keip the said former proclamatioun in every point and conditioun, and that nane of thame presume to attempt or to do onything that may tend to the violatioun or breking thairof be the meanes foirsaidis or ony utheris, privatlie or quietlie, under the panis contenit in the same; certefying thame, that as hir Majestie maist lovinglie will imbrace all hir subjectis obeyand hir commandmentis, sa can schō nocht of hir honour and dewitie bot hait and punische the contempnaris and transgressouris thairof, specialie in this point quhair the mater concernis the keping of gude ordoure, commone peace, and mutuall societie, quharof thai may maist certanlie assure thame selfis, quhen thai sall feill the samyn, and obtene the reward that is dew unto subjectis that makis ony defectioun from thair Soveranis obedience.

Apud Edinburgh, primo die Junii, anno, etc. lxij°.

Sederunt. Jacobus Comes de Mar. Joannes Atholie Comes. Jacobus Comes de Mortoun. Magister Jacobus Makgill de Nether Rankelour, Clericus Registri. Joannes Ballenden de Auchnoule, Miles, Clericus Justiciarie. Magister Robertus Richardsoun, Thesaurarius.

The quhilk day, anent the terme assignit be the Quenis Grace and Lordis of hir Secreit Counsale to Barnabe de Myrande, Gracian Daragon, Undro

Ruis, Purro Lenyen, Nicholace Fiot, Anthony Crestien, Johne Lanbien, George Bonart, Johne Dudoy, Johne de Lapresse, Johne de Arncibay, Sant Johne de Meridia, Johne Barbar, Lucas Gabery, Nicholace Badoun, Johne Jarnegan, Johne Crestien, Petir Darande, Guilliame Poulain, Petir de Savalla, Gasper de Medina, Francis de Carniero, John Arnedo, George Crestien, Francis Ure, Raoue le Texure, Johne Guehone, and Guilliame Noblet, merchandis and induellaris of the toun and fobers of Nantis in Bertanye, subjectis to the maist Christin King, freindis and confederatis of this realme, and Guilliame Lanbier, thair procuratoure, to proif that Thomas Kennedy of Bargany, Admirale Depute, gaif ane pretendit decreit of the dait at Lochryane the xxv day of Junij the yeir of God $j^{m}v^{c}lxj$ yeris, findand, deliverand, and decernand the hale gudis and geir takin and apprehendit in the schip callit the Pernik of Nantis, and specifiit and contenit in the clerkis bukis, and markit with the markis insert thairntill, to have bene lauchfullie and justlie takin be Williame Cant, capitane for the tyme of the schip callit the Marie Fortoun, and his company, be verteu of ane pretendit lettre of marque specifiit in the said decreit, and that he and utheris takaris thairof, and utheris havand interes thairto, mycht justlie intromett thairwith, sell and dispone thairupoun at thair plesoure; to that effect that thai mycht preif the pointis of ane summondis intentit be thame aganis the said Thomas, for spoliatioun, reving, awaytaking, and withholding fra thame of divers ballis and merchandice, specifiit and contenit in the saidis summondis: Comperit the said Guilliame Lanbier, procuratoure foirsaid, and Maister David Makgill, his prelocutour, and producit oure Soverane Ladeis lettres dewlie execute and indorsate, berand that certane personis specifiit thairin wer summond to have comperit befoir the Quenis Majestie and Lordis foirsaidis, to beir leill and suithfast witnessing in sa fer as thai knaw or shalbe sperit at thame in the said mater, as the saidis lettres beris. Quhilkis witnes being callit and nocht comperand, the said Guilliame, procuratoure foirsaid, being personalie present, and the said Thomas Kennedy of Bargany, sicklyke being personalie present, the Quenis Majestie and Lordis foirsaidis continewis the said mater in the samyn forme, force, and effect as it is now, but prejudice of partie, to the xxviij day of Junii instant, with continuatioun of dayis, and ordanis the persewaris to have lettres to summond the saidis witnes to compeir the said day, with continuatioun of dayis, to beir leill and suithfast witnessing in sa fer as thai knaw or salbe sperit at thame in the said mater; that is to say, the saidis personis quhilkis wer summond of befoir, and comperit nocht, under the pane of rebellioun and putting of thame to the horne, becaus thai wer summond thairto of befoir and comperit nocht; and the remanent personis foirsaidis, under all hieast pane and charge that eftir may follow; and the said Thomas Kennedy of Bargany, and the said Guilliame Lanbier, procuratoure foirsaid, warnit apud acta.

The said Maister Thomas, prelocutour for the said Thomas Kennedy of Bargany, protestit that na ma termes be assignit to the saidis persewaris

for preving of the said decreit in maner abone rehersit, in respect that this is the thrid terme grantit to that effect.

Apud Edinburgh, viij° Junii, anno, etc. lxij°.

Sederunt. Jacobus Comes de Mar. Magister Jacobus Makgill de Nether Rankelour, Clericus Registri. Joannes Ballenden de Auchnoule, Miles, Clericus Justiciare.

The quhilk day, anent the terme assignit to the Quenis Majestie and Lordis of Secreit Counsale to Guilliame Lanbier and Andro Luley, procuratouris for Barnabe de Myrand and his collegis, for preving of the summondis persewit be thame aganis Thomas Kennedy of Bargany; comperit the saidis procuratouris, and Maister David Makgill, thair prelocutoure, and producit the Quenis Hienes lettres dowlie execute and indorsate, berand that certane witnessis wer summond to have comperit befoir the Quenis Majestie and Lordis foirsaidis, the tent day of Marche last bipast to beir witnessing in the said mater; and als reportit and producit ane commissioun direct to the Senescall of Nantis, togidder with the depositionis of certane witnessis ressavit, sworne, and admittit be him for preving of the pointis of the saidis summondis conforme to the said commissioun, and desyrit proces in the said mater.

The said Thomas Kennedy of Bargany, and Maister Thomas M°Calyean his prelocutour, allegit that the termes appointit in the said commissioun for the ressaving of probatioun in the said mater be the said Senescall of Nantis in the toun of Nantis wes nocht observit; and that the said Senescall excedit the boundis of the said commissioun, be ressaving of the depositionis of the witnes producit befoir him eftir the day contenit in the said commissioun, quhilk expirit in the self, the said day being bipast; and that thairthrow his jurisdictioun and power ceissit, and be ressaving of the saidis witnes eftir the said day, declarit him partiall, and thairfoir protestit for circumductioun of the terme anent the said commissioun; and forther allegit that be the practik of this realme observit in sik caissis, divers commissionis aucht nocht to be direct to ane juge; and thairfoir na new commissioun suld be gevin or direct to the said Senescall.

Maister David Makgill, prelocutour for the said procuratouris of the saidis Frenchmen, allegit that the said Senescall of Nantis ressavit the saidis witnes bona fide, submittand the discussing of the ressaving or repelling of thame to the Quenis Majestie and Lordis foirsaidis; and thairfoir new commissioun suld be grantit and direct to the said Senescall.

The Quenis Majestie and Lordis foirsaidis repellis the said allegeance proponit for the part of the said Thomas Kennedy of Bargany, and assignis to the saidis Guilliame Lanbier and Andro Luley, procuratouris for the said

Barnabe de Myrand and his collegis, the xij day of October nixt to cum, for the secund terme of probatioun, for preving of the saidis summondis intentit be thame aganis the said Thomas Kennedy of Bargany, and to produce sik witnes, writtis, and documentis as thai wald use for preving of thair intent in the said mater, the said day; and als decernis the saidis persewaris to have ane new commissioun direct to the said Senescall of Nantis, for examinatioun of witnes, and deductioun of the said secund probatioun, in the said mater; and assignis all the dayis betuix the tent day of August nixt to cum, and the last day of the samyn moneth inclusive, to ressave the witnes, and the said xij day of October nixt thaireftir ad reportandum, and ordanis the defendaris interrogatouris to be inclusit within the said commissioun.

The said Maister Thomas M^{c}Calyean protestit for remeid of law.

Apud Edinburgh, penultimo Julij, anno, etc. lxij^{o}.

Sederunt. Jacobus Comes de Mar. Jacobus Comes de Mortoun. Joannes Dominus Erskin. Magister Robertus Richardsoun, Thesaurarius. Willelmus Maitland de Lethingtoun, Junior, Secretarius. Magister Jacobus Makgill de Nether Rankelour, Clericus Registri. Joannes Ballenden de Auchnoule, Miles, Clericus Justiciarie.

The quhilk day, the Quenis Grace understanding that the maist part of the fyne cunyeit money in gold and sylver is had transportit and cariit away furth of this realme in uther cuntreis be the merchandis, and specialie for bringing hame of wynes furth of Burdeaulx, Scherand, and uther partis beyond sey, sua that nocht onlie growis gude money skant within this realme, bot als the prices of all kynde of vittallis for laik thairof, dailie incresis; and knawing lykewyise that gif the tred wer nocht samekle usit be the inhabitantis of this realme, the wynes suld cum to lawer prices, and be dailie inbrocht be strangearis, and the money and prices to be obtenit thairfoir suld be bestowit upoun waris within the realme, conforme to the Actis maid thairupoun of befoir; and thairby the gude money suld remane amangis the liegis, and the prices of all kynd of vittallis thairthrow suld dailie decrese: Thairfoir hir Hienes ordanis lettres to be direct to charge all and sindrie oure Soverane Ladeis liegis, be oppin proclamatioun at all mercat croces, portis, and places neidfull of this realme, that nane of thame tak upoun hand to saill to Burdeaulx, Scherand, Rochell, or ony uther partis beyond sey, for bringing hame of ony kynd of wynis, to be sauld within this realme, bot upoun the prices following, for the space of thre yeris nixt to cum; that is to say, the Burdeaulx wyne to be brocht in at the eist seyis for xviij lib. the tun, and to be tappit agane in pynt and chopping for viij d. the pynt; the Scherand, Rochell, and siclyke wynes, for xiiij lib. the tun, and to be tappit agane for vj d. the pynt; the Burdeaulx wynes to be brocht in at the west seyis for xvj lib. the tun, and to be tappit agane for vj d. the pynt; and the Scherand, Rochell, and sik kynd

of wynes, for xij lib. the ton, and to be tappit again for iiij d. the pynt; under the pane of escheting of all gudis movable of the persone or personis that sellis the samyn in greit or in small abone the prices foirsaidis. And siclyke to charge all strangearis, inbringaris of wyne within this realme, that thai sell the samyn upoun the prices foirsaidis, and eftir the selling of thair saidis wynes, and obtenyng of payment thairfoir, bestow the samyn upoun uther merchandice within this realme, and enter the samyn to the customaris, and pay thair custome thairfoir; and that nane of thame tak upoun hand to haif or cary furth of this realme ony kynd of money, gold or sylver, cunyeit or uncunyeit, under the pane of escheting of the samyn, and of utheris thair gudis, to our Soverane Ladeis use; and that the sercheouris serche diligentlie at every port and heavin within this realme, quhair ony money is to be had away, and intromet with the samyn, and mak compt thairof to oure Soverane Ladeis Comptrollar, as thai will ansuer to hir Hienes upone the executioun of thair offices.

The samyn day, anent the terme assignit be the Quenis Grace and Lordis of Secreit Counsale to Barnabe de Myrande, Graccane Daragon, Andro Enis [here follow the list of names and order of procedure as above, p. 209, down to "ballis and merchandice specifiit and contenit in the saidis summondis"], comperit Andro Luley, siclyke procuratoure for the saidis merchandis, and Maister David Makgill, his prelocutour, and producit oure Soverane Ladeis lettres, deulie execute and indorsit, berand that certane personis specifiit thairin wer summond to haif comperit befoir the Quenis Majestie and Lordis foirsaidis to beir leill and suithfast witnessing insafer as thai knaw or shalbe sperit at thame in the said mater as the saidis lettres beris, quhilkis witnes being callit, ane part comperand and the remanent absentand thameselfis, being oftymes callit and nocht comperand, the said Andro Luley procuratour foirsaid being personalie present, and the said Thomas Kennedy of Bargany siclyke being personalie present.

Maister Thomas M^cCalyean, prelocutour for the said Thomas Kennedy of Bargany, allegit as of befoir that the geving of the said decreit aucht na wyise to be provin be witnes, bot be writt, and that thairfoir na witnes suld be ressavit for preving thairof. And gif the Quenis Majestie and Lordis foirsaidis for thair informatioun wald ressave ony witnes in the said mater, thai aucht onlie to be of the members of the court that wes haldin the tyme of the geving of the said decreit, and that nane utheris suld be ressavit to that effect.

The Quenis Majestie, with avyse of the Lordis foirsaidis, adherand to thair first interloquutour gevin of befoir pronuncit that thai wald ressave sa mony of the witnes summond for thair informatioun, bot wald mak na preparative that the said decreit suld be provin be witnes, reservand the depositionis of the witnes to be ressavit, to be discussit with the proces.

The said Maister Thomas desyrit that every ane of the witnes to be ressavit suld be examinit gif ony of thame wer participant or intromittit with ony part of the gudis libellit and protestit for interrogatouris.

Witnesses producit for the part of the saidis merchandis.

Maister Johne Monypenny, repellit; Maister Patrik Bissit, repellit; Johne Mosman, admiss; Alexander Pumfra, repellit; Johne Edmestoun, admiss; Johne Howy, admiss; Johne Fairlie, repellit.

The Quenis Majestie and Lordis of Counsale foirsaidis continewis the said actioun in the samyn forme, force, and effect as it is now, but prejudice of partie, to the secund day of November nixt to cum, with continuatioun of dayis; and ordanis the saidis merchandis and thair procuratour foirsaid to haif summondis to warne the witnes quhilkis wer summond of befoir and comperit nocht, under gretar panis; that is to say, Harie Bertane, Adame Johnestoun, Gilbert Lauder, Williame Patersoun, Thomas M^{c}Cartnay, James Dalyell, Mungo Russale, Alexander Russale, James Aikman, Robert Dowglas, Richard Strang, Andro Pumfray, Robert Dalgleische, Johne Burne, Andro Burne, George Clerksoun, Johne Moresoun, Robert Lychtman, David Young, Andro Dowglas, David Lyle, Adame Scot, Mark Broun, Maister George Hacket, Andro Cokburne, Robert Patersone, Schir Hew Kennedy of Girvenmanis Knycht, Maister Patrik Vaus persone of Wigtoun, Patrik Agnew Scheref of Galloway, Matho Campbell Scheref of Air, Williame Cunnynghame of Laglane, Fynlay Campbell of Carswell, Alexander Campbell his sone, Williame Cunnynghame in Air, Johne Campbell barbour thair, George Chalmer thair, David Cathcart thair, Johne Hacket, Johne Reid, Williame Hiegait in Glasgow; Williame Adair of Kinhilt, Hew Kennedy father bruther to Gilbert Erle of Cassillis, Johne Dunbar of Mochrum, Alexander Stewart of Garroleis, Johne Gordoun of Lochinver, Johne Schaw admiral officiar, Johne Lyn in Dalkest, Williame Stewart in Air, Nichole Peir thair, William Cunnynghame thair, Johne Pureis thair, Robert Rankin thair, Johne Broun of Drumley, Andro Johnestoun, Patrik M^{c}Carvell in Girven, George Dair at Sanct Johneis Chapell, and Johne Murie in Indermessane, under the pane of rebellioun; and gif thai failye thairin to put thame to the horne, becaus thai wer summonnd heirto of befoir under the said pane of rebellioun and dissobeyit, and George Gordoun of Barskedth, Patrik Blair in Wigtoun, Williame Gordoun thair, Johne Martine thair, Johne M^{c}Kilhauche thair, and Robert Johnestoun thair, under the pane of rebellioun and putting of thame to the horne, becaus thai wer summonnd heirto of befoir and comperit nocht; and the saidis Thomas Kennedy of Bargany and Andro Luley procuratoure foirsaid warnit apud acta.

Sederunt. Jacobus Comes de Mar. Willelmus Maitland de Lethington, Junior, Secretarius. Magister Jacobus Makgill, Clericus Registri. Joannes Ballenden de Auchnoule, Miles, Clericus Justiciarie.

Apud Edinburgh, x° Augusti, anno, etc. lxij°.

The quhilk day, in presence of the Quenis Majestie and Counsale, comperit Walter Ker of Cesfurd Knycht, Thomas Ker of Pharniherst Knycht, Gilbert Ker of Grenheid, Schir Andro Ker of Hirsell Knycht, George Ker of Lintoun, Robert Ker of Wodheid, Maister George Ker of Cavers, Andro Ker of Cavertoun Knycht,—for thame selfis, and takand the burding upoun thame for thair hale kin, freindis, tennantis, and servandis, on that ane part; Walter Scot of Syntoun, Robert Scot of Bonytoun, Thomas Scot of Hanyng, Adame Scot of Burnfute, Walter Scot of Eidschaw, Walter Scot sone naturale of umquhile Walter Scot of Broxholme Knycht, and Sym Scot of Fynnyk, for thame selfis, and takand the burding upoun thame for thair hale surname, kin, freindis, tennentis, and servandis, except Hob Scot callit Wait About Him, Robert Scot of Collefurd, Johne Scot callit the Clerk his bruther, quhame thai salbe bundin to persew in maner following, in caise thai sal happin heireftir to be at the or steling of the gudis of the liegis of this realme; and for stancheing of deidlie feid, standand amangis thame, and reparing of all occasionis quhairby the samyn may be takin away, quieting of the cuntre, and amitie and freindschip to stand amangis thame in tyme cuming, promittis faithfullie upoun thair honouris, that at the last day of November nixt to cum, thai sall compeir with thair principale kin and freindis; and the Maister of Maxwell being present, promittit to cause the Lard of Bukcleuch be siclyke present, and curatouris to be chosin to him; and thaireftir cheis freindis as thai can aggrie upoun, ather of thame for thair awin part, to quhome thai salbe bundin to underly thair decreit, quhat salbe done be the saidis gentilmen of the Kerris to the saidis gentilmen of the Scottis, for assythment of the slauchter of umquhile Walter Scot of Branxholme Knycht, and utheris occasionis bigane, and quhat thai sall accept thairfoir, sua that hartlie freindschip may continew amang thame in all tyme cuming, and that the service of the Quenis Grace may be done as becumis trew subjectis. And gif aggrement can nocht be had of freindis equalie, thai sall submitt thame to the Quenis Grace and Counsale to that effect; and in the meintyme baith the saidis partis promittis faithfully that the assurance takin betuix thame of befoir salbe observit in all pointis, without brek or occasioun of brek; and that thai and ilkane of thame, alsweill Scot with Ker as Ker with Scot, sall ryise with utheris to all frayis and forrowis, and persew the thevis, takaris of ather of thair gudis, as alsua of the gude of the uther cuntre folkis, liegis of this realme, to the recovering of the samyn at the utermest of thair power; and sua to pass, ryid, and gang, saiflie and suirlie, throw utheris boundis, without danger or truble; and

gif ony of thame failyeis thairin, thai of thair awin consentis and grantis that thai sal be reknyt as participantis with the saidis thevis and brokin men, and salbe compellit to pay the hale gudis that sal happin to be takin be the saidis thevis, in caice thai cum in the contrair heirof, and salbe utherwyise punist as the Quenis Grace and Counsale thinkis expedient.

In presence of the Lordis of Secrete Counsale, comperit George Smyth, sadillar, and being inquirit gif ony persone desirit him at any tyme to adjone him to the Congregatioun, declarit that nowther the Provest, Baillies, nor utheris, requirit him at ony tyme to do the samin.

Williame Brokkus, smyth, being siclike requirit, in presence of the saidis Lordis, gif the saidis Provest and Baillies did at ony tyme the thing quhilk mycht tend to draw him fra the lauchfull obedience quhilk he aucht to the Quenis Majestie and utheris lauchfull magistratis, declarit that na persone seducit him fra the obedience of the Quene and Magistratis at na tyme, nor yit seducit him fra his faith.

Sym Scot, bruther to Robert Scot of Thirlstane, promittit to entir James Mawar to the Lard of Cesfurd, wardane, the xvij day of August instant.

Apud Sterling, xiiij° Augusti, anno, etc. lxij°.

In presence of the Quenis Majeste and Lordis of Secrete Counsale, comperit Robert, Commendatour of Deir, and William Kirkcaldy of Grange, and become actit conjunctlie and severalie to the Quenis Grace, that Thomas Ker of Pharnihirst, Knycht, suld compeir befoir hir Hienes Lordis of Secrete Counsale in Edinburch, or quhair it suld happin hir to be for the tyme, the tent day of November nixt to cum; thair to remane, and on na wyise to eschaip nor eschew, quhill he wer fred be hir Hienes, under the pane of x thousand markis; and the said Thomas actit that Andro Ker and Williame Ker his bruther suld compeir befoir hir Hienes the said day, and nocht eschaip nor eschew, quhill thai be fred be hir Hienes; ather of thame under the pane of ane thousand pundis.

Sederunt. Jacobus dux Chastellarault. Archibaldus Argadie Comes. Willelmus Marescalli Comes. Jacobus Comes de Mortoun. Joannes Atholie Comes. Jacobus Comes de Mar. Alexander Comes de Glencarne. Joannes Dominus Erskin. Willelmus Maitland de Lethingtoun, Junior, Secretarius. Joannes Ballenden de Auchnowle, Miles, Clericus Justiciarie. Magister Jacobus Makgill de Nether Rankelour, Clericus Registri.

Apud Edinburgh, xv^to^ Augusti anno, etc. lxij°.

The quhilk day, it being proponit at the command of the Quenis Majestie, how the Quene of Ingland, eftir that it wes concludit that ane meting suld

be had betuix thair Majesteis for the continewance of the tranquillitie and quietnes of baith the realmes, and that be sik occasionis occurrand, the samyn suld nocht tak effect this yeir; and that thairfoir the Quene of Ingland hes desyrit the said meting to be in the spring of the nixt yeir, and the Quenis Majestie to gif hir certificatioun thairof betuix and the last day of October nixt to cum; and thairfoir desyrit the Lordis to gif thair counsale and declaratioun thairintill; quhilkis being thairwith avysit, thocht the meting requisit, and expedient for the weill of baith the realmes; and that na occasioun hes chancit sen the taking of the first conclusioun thairon, quhairfoir the samyn suld be stayit, and thairfoir consentit to the meting of baith the Princes; bot nocht the les declarit that thai wald na wyise gif hir counsale to committ hir body in Ingland, and thairfoir referrit the place of the meting and the securitie of hir awin persone to hir self.

Becaus it is notourlie knawin to the saidis Lordis of Secreit Counsale, that nathing is mair requisit for securitie of the Quenis Majestie, geving of counsale to hir Grace in thingis concernyng the commoun estait of hir Hienes and wele of the realme, tranquillitie and quietnes thairof, in tyme cuming, than that ane part of hir Counsale mak continewale residence with hir Grace, be quhais avyse the caussis of hir Grace and realme may be ordourit as salbe thocht maist commodious and profittable; and knawing that the hale counsale may nocht mak continewale residence with hir Grace to that effect, the Lordis foirsaidis thairfoir, all with ane avyse, hes concludit that foure of the Lordis chosin of hir Graces Secreit Counsale mak continewale residence with hir Grace, tua monethis togidder, to the effect abone rehersit; the first foure, viz. Archibald Erle of Argyle, William Erle Marcheall, Johne Erle of Athole, James Erll Bothuile, to begin the first day of September nixt to cum, and continew to the last day of October nixt thaireftir; George Erle of Huntlie, James Erle of Mortoun, George Erle of Arrole, and Johne Lord Erskin, to begin the first day of the nixt November, and to continew to the last day of December nixt thaireftir; and James Duke of Chastellarault Erle of Arrane Lord Hammyltoun, etc., James Erle of Mar, Alexander Erle of Glencarne, and William Erle of Montrose to begin the first day of Januar nixt to cum, and to continew quhill the last day of Februar nixt thaireftir. And sua the said ordoure to be observit be thame in maner foirsaid for tua monethis successivelie ilkane of thame to entir to thair rowmes and monethis, eftir utheris, and nocht to depart without the consent and licence of the Quenis Grace had thairupoun; quhilk thai promitt to observe and keip as thai will ansuer to hir Hienes upoun thair honour and obedience. And gif the Quenis Grace adjonis ony utheris in Counsale to thame, the personis to be adjonit to keip the samyn ordoure, and the saidis Lordis hes ordanit foure Counsale dayis to be observit evirilk olk; that is to say, Monunday, Tyisday, Thurisday, and Settirday; and to begin to the Counsale at viij houris in the morning, and to continew quhill xj houris befoir none; and eftir none at tua houris, and to continew quhill fyve houris at evin; and

ordanis the Clerk of Counsale to gif evirilk ane of the saidis Lordis at the end and outrynnyng of the monethis quhilk thai suld remane at Counsale, ane tikket of the day of thair departing, and of the day quhen thai suld enter and returne agane to Counsale.

Apud Edzell, xxv^to^ Augusti, anno, etc. lxij°.

In presence of the Quenis Majestie, comperit Robert Montgumry, and become cautioun and souirtie to hir Grace, that Johne Fullartoun of Kynnabir suld compeir befoir hir Hienes and Lordis of Secreit Counsale in Edinburgh within foure dayis nixt eftir hir Graces arryving thairat, to ansuer to hir Majestie, upoun the allegit falseing and feinyeing of the stamp or signet of Alexander Guthrie, messenger, and affixeing and putting of the samyn to the executioun of chargis and hornyng, maid be the said Alexander, of the lettres in the foure formes obtenit be David Lindesay of Lenok, and Sir Andro Lindesay, vicar of Newtyld his tutour, for his interes, upoun David Lindesay of the Hauch, denunceing him rebell and putting of him to the horne be verteu thairof, under the pane of fyve hundreth markis, and the said Johne actit and oblist him to releif the said Robert thairof at the Quenis Majesteis handis.

Apud Dernway, decimo Septembris, anno, etc. lxij°.

Sederunt. Archibaldus Argadie Comes. Willelmus Marescalli Comes. Jacobus Comes de Mar. Jacobus Comes de Mortoun. Willelmus Maitland de Lethingtoun, Junior, Secretarius. Johannes Bellenden de Auchnoule, Miles, Clericus Justiciarie.

Forsamekle as Johne Gordoun of Deskfurd, Knycht, being callit in ane Court of Justicarie haldin in the Tolbuith of Aberdene, the last day of August last bipast, for the contempt and inobedience committit be him in brekking of the Quenis Majesteis ward, and departing furth of the Tolbuith of Edinburgh upoun the day of last bipast, in the quhilk he wes wardit, for the cruell onsetting upoun James Lord Ogilvy, and mutilating of him of his rycht arme, and utheris crymes contenit in the letteris direct thairupoun, as the samin at mair lenth proportis; and that he upoun the said last day of August comperit in the said Tolbuith, and for satisfying of hir Hienes thairanent than in jugement, enterit his persone within the samin Tolbuith, as hir Graces ward, thair to remane induring hir Majesteis plesour, and also offerit him to be obedient to pas to quhatsumevir uther ward it suld pleis hir Grace command him; and syne he being commandit in our Soverane Ladeis name, and hir Justice and his Deputis, to pas to the Provest of Aberdenis ludgeing, and thair to haif remanit in ward quhill he wer certifyit of our Soverane Ladeis will in the premissis, undir the pane of rebellioun and putting of him to the horne; and commandment alsua being gevin to the Scheref Depute of Aberdene than present to convoy him surlie thairto; and thaireftir being enterit

in ward in the said Provestis ludgeing, thair to have remanit quhill he had bene fred be hir Grace, he, upoun the first day of September instant, wes chargit be ane officiar of armes, be vertew of oure Soveranis lettres, to haif past and enterit him self in ward in the Castell of Sterling, within vij dais eftir the charge, undir the pane of tressone; the quhilkis chargis and command the said Johne Gordoun hes not onlie contempnandlie dissobeyit, and thairthrow incurrit the saidis panis, bot alsua be assembling togidder of certane utheris inobedient and rebellious personis, apperis to brek the hale cuntre sa fer as is in his power: Thairfoir hir Majestie, persaving the evill exempill and grete inconvenientis that may ensew heirof, gif he and his complices be permittit to haif ony strenthis, houssis, or forteressis to resort to during his inobedience and manifest contempt foirsaid; and als hering the mony grevous complaintis of the pouir pepill of this cuntre, berand thame to be hereit and oppressit be him and his saidis complices in tymes bipast, and fering the like, or wer, to be done in tyme cuming; ordanis, with avise of the Lordis of hir Secrete Counsale, lettres to be direct to heraldis, maseris, pursevantis, and messengeris, chargeing thaim to pas, and in hir Hienes name and autorite command and charge the said Johne Gordoun Gordoun, Lady Findlater his pretendit spous, and all utheris, havaris, haldaris, keparis, and detenaris of the houssis and forteressis underwrittin, to deliver the houssis and fortressis of Findlater and Auchindoune, and ather of thame, to hir Graces officiar, executour of this charge, to quham hir Hienes gevis commissioun to ressaif the samin; and to remoif, devoid, and red thame, thair servandis, and all utheris being thairin, furth of the samin, to that effect that the samin may be usit at the Quenis Grace plesour, within xxiiij houris nixt eftir thai be chargit thairto, under the pane of tressone; certifying thame, and thai failye thairin, that thai sall incur the said pane of tressone, and that proces of forfaltour salbe led aganis thame, according to the tennour of the Actis of Parliament, lawis, and practik of this realme.

Apud Abirdene, xv^to^ Octobris, anno, etc. lxij°.

Sederunt. Archibaldus Ergadie Comes. Georgius Arrolie Comes. Willelmus Marescalli Comes. Jacobus Moravie Comes. Jacobus Comes de Mortoun. Johannes Dominus Erskin. Thesaurarius. Secretarius. Rotulator. Clericus Registri. Clericus Justiciarie.

It is concludit and ordanit be the Quenis Majestie, with avise of the Lordis of hir Secrete Counsale, that gif George Erll of Huntlie comperis not befoir hir Majestie the xvj day of this instant October, to ansuer to sik thingis as ar to lay to his charge, conforme to the letteris direct thairupoun, and that thairfoir be vertew of the saidis letteres, he be put to the horne for his contemptioun, that his houssis, strenthis, and freindis be takin fra him, and his saidis freindis and utheris gentilmen of the cuntre have roule or steir thairin be send for, to compeir befoir the Quenis Majestie and Counsale foirsaid, with all expeditioun and ordoure, takin

with thame for obedience to be maid to the Quenis Majeste, and quietnes of the cuntre, and baith chargis and commissionis to be direct to that effect.

Apud Abirdene, xiij° Octobris, anno, etc. lxij°.

The quhilk day, in presence of the Quenis Majeste and Lordis of Secrete Counsale, comperit Guilliam Lanbier, procuratour for Barnabe de Myrand and his collegis, merchantis and induellaris in the toun and foberis of Nantis in Bertanye, subjectis and confederatis to the maist Christin King, freindis and confederatis of this realme, and Maister David M^cGill, his prelocutour, and offerit thaim reddy to report and produce the commissioun direct to the Senescal of Nantis, togidder with the depositionis of certane witnessis ressavit, suorne and admittit be him for preving of the pointis of the summondis intentit and persewit be the saidis merchandis, aganis Thomas Kennedy of Bargany, befoir the Quenis Majestie and Lordis foirsaidis, for satisfying of the terme assignet and affixit to that effect; and becaus of the grete besines hir Hienes and Lordis foirsaidis haif than on hand, and presentlie to do, quhairthrow thai mycht nocht await upoun the ressoning of the samin, hir Majestie continewis . . . of the said commissioun and depositionis of the saidis witnes, quhill hir Hienes cuming to Edinburgh, quhilk productioun . . . salbe als sufficient as gif the samin wer presentlie done.

Apud Edinburgh, xxvj^to Octobris, anno, etc. lxij°.

Sederunt. Georgius Errolie Comes. Johannes Atholie Comes. Willelmus Marescalli Comes. Jacobus Moravie Comes. Jacobus Comes de Mortoun. Johannes Dominus Erskin. Secretarius. Thesaurarius. Rotulator. Clericus Registri. Clericus Justiciarie.

In presence of the Quenis Majestie and Lordis of Secrete Counsale, comperit thir personis underwrittin, and thair cautionaris following, and band and oblist thaim respective to entir thair personis within the places undir mentionat and to remane within the samin and foure mylis thairabout, and not to eschaip nor eschew, quhill thai be fred be the Quenis Majestie undir the panis undir mentionat; and ar ordinit immediatlie eftir thair entre to tak testificatioun of the Provest or Baillies of the toun quhair thai ar appointit to remane of thair entre within the samin. That is to say, George Gordoun of Gicht, within the burch of Edinburch, betuix this and the aucht day of November nixt to cum, undir the pane of five thousand markis; and he and William Chene of Straloch, conjunctlie and severalie cautioneris for his remaning in maner foirsaid; and the said George oblist to releve the said William; James Gordoun of Haddo to entir within the said burch of Edinburgh, betuix this and the thrid day of the said

moneth of Novembir nixt to cum, thair to remane, and within four mylis thairabout, in maner abone specifyit, under the pane of v^{m} markis; and he and Thomas Menzies of Petfodellis, conjunctlie and severallie cautioneris for his remaning, and he oblist to releve the said Thomas.

Gourdoun of Abiryeldy, to enter within the cietie of Sanctandrois within foure dais nixt to cum, and to remane within the samin, and foure mylis thairabout, as said is, undir the pane of v^{m} merkis, and he and Alexander Irwin of Drum, conjunctlie and severalie, cautioneris for his remaning, and he oblist to releve the said Alexander; Alexander Gordoun of Strathowne, to entir within the burcht of Hadingtoun betuix this and the xij day of November, thair to remane, and within foure mylis thairabout, under the pane of v^{m} markis; and he and his cautioner, conjunctlie and severalie, oblist for his remaning, and he oblist to releve his said souerte; Alexander Gordoun, eldest sone and apperand air to George Gordoun of Lesmoir, to entir as plege for his said fader within the burch of Edinburgh, within six dais nixt to cum, thair to remane, and foure mylis thairabout, as said is, undir the pane of twa thousand markis; and the said George and William Forbes of Tochquhone, conjunctlie and severalie, souerteis for his remaning in maner foirsaid, and the said George oblist to releve the said William; George Gordoun, sone and apperand air to James Gordoun of Creiche, to entir as plege and souerte for his said fadder, and Alexander Gordoun of Birkinburn, his bruther, within the burch of Edinburch, the thrid day of November nixt to cum, thair to remane, and foure mylis thairabout, in maner abone mentionat, ilkane of thaim under the pane of j^{m} ℔.; and Alexander Knowis, burges of Edinburgh, and the saidis James and Alexander, conjunctlie and severalie, cautioneris for his remaning, and thai oblist to releve him; Patrik Gordoun, sone and apperand air to George Gordoun of Correchieis, to entir as plege and souerte for his said fader, and Patrik Gordoun of Auchmanye, within the cietie of Sanctandrois, the thrid day of November nixt to cum, thair to remane and foure mylis thairabout, in maner abone mentionat, undir the pane of ii^{m} markis, and Maister Robert Lummisdene of Tulycarn, and thai conjunctlie and severalie cautioneris for his entre, and thai oblist to releve him; Thomas Gordoun of Kennartie, to entir within the cietie of Sanctandrois, the thrid day of November nixt to cum, thair to remane and within foure mylis thairabout, in maner foirsaid, and he and Maister Alexander Leslie of Idnatille, conjunctlie and severalie, cautioneris for his entre and remaning, and he oblist to releve the said Maister Alexander; Alexander Gordoun to entir as plege and souerte for William Gordoun of Craig, his bruther, within the burch of Edinburch, the thrid day of November foirsaid, thair to remane and within foure mylis thairabout in maner foirsaid, under the pane of iij^{m} markis, and he and William Chene of Straloch, conjunctlie and severalie, cautioneris and souerteis for his entre and remaning, and the said William Gordoun oblist to releve his said souerte.

Apud Abirdene, xxvij° Octobris, anno, etc. lxij°.

Sederunt. Georgius Errolie Comes. Johannes Atholie Comes. Willelmus Marescalli Comes. Jacobus Comes Moravie. Jacobus Comes de Mortoun. Johannes Dominus Erskin. Secretarius. Thesaurarius. Rotulator. Clericus Registri. Clericus Justiciarie.

Forsamekill as George Erle of Huntlie, continewand in his tressonable conspiraciis, is cumand fordwart towert this burch of Abirdene, of determit purpois to persew our Soverane Ladeis propir persone; and hir Grace to resist his wikkit interprissis, with hir trew liegis, being with hir within this burch, is to pas fordwart to meit him on the plane feildis: Thairfore hir Majeste, with avise of the Lordis of hir Secrete Counsale, ordinis, that gif it happinis, ony of hir liegis being with hir, or sik utheris as schō sall appoint in cumpany, to be slane at this jurney, hurt and woundit to the deid, and deceissis thairby thaireftir, or in thair cuming thairto, and passing thairfra, that thair wife and barnis, and failzeing of thaim thair airis and executouris, sall bruke and joise thair takkis, stedingis, rowmes, and possessionis, for the space of five yeris nixt eftir the dait heirof, without gressume or entre silvir to be payit thairfore; and als that thair airis sall haif the ward of thair landis, mylnis, and fischeingis, with thair mareage fre without payment of ony compositioun or teind penny thairfore; and this present ordinance to extend to thame quha hes and haldis thair landis, fischeingis, malingis, rowmes, and possessionis, alswele spirituale men as temporale men, as of the Quenis Majeste; providing that the saidis air or airis entir to thair landis, rowmes, and possessionis within thre termes eftir thair lauchfull age of xiiij yeris; and gif the falt be in thair tutoris or curatoris, to entir within ane terme eftir thai be of xxj yeris compleit; and this present ordinance to be of als grete force, strenth, and effect as the Act and ordinance maid be oure Soverane Lady befoir the Feild of Pynke Cleuch be James Duke of Chatellarault, Erle of Arrane, Lord Hammiltoun, etc., in thir Hienes name, than brukand hir autorite, or be hir Graces moder in the weris betuix this realme and Ingland in the yeir of God j^{m}v^{c}lvij yeris.

Forsamekill as George Erle of Huntlie, with his barnis and diverse utheris of his factioun, hes committit sindrie tressonable dedis and interprissis aganis the Quenis Majeste and hir autorite, and eftir that the said Erle wes denuncit rebell and put to the horne, he and his saidis sonnis and utheris thair participantis, assemblit thair hale tennentis, servandis, and utheris, thair freindis, and put thame in armes at the barony of Strathbogy, and fra thine come fordwart in plane battale, fra place to place quhill thai ar approchit neir this burch of Abirdene, within few mylis to the samin, and continewand in thair tressonable dedis, intendis to cum fordwart to the said burch of determit purpois, to invaid the Quenis Grace proper persone, hir Counsale and utheris hir trew liegis being with hir in cumpany; and hir Hienes, with avise of the Lordis of hir Secrete Counsale, seand the

eminent danger, and knawand that gif the saidis conspiratouris tressonable interprissis wer not in tyme stayit and resistit, it mycht turne to the grete skaith of hir aune persone, gart call in befoir hir Hienes hir cousing and Counsalour, George Erle of Arrole, William Lord Forbes, Alexander Lord Saltoun, Williame Leslie of Boquhane, and utheris of the cuntre folkis, desiring thair avise to be had for resisting of the conspiratouris foirsaidis; quhilkis eftir deliberatioun takin thairon, offerit to pas fordwart with thair kin and freindis, and for apprehending of the said Erle, his bairnis and assistaris, being in thair cumpany, to wair thair lyfes as thair dewetie and detfull obedience requyris to thair Soverane. Quhilk offer, the Quenis Grace, with avise of hir Counsel foirsaid, thocht maist resonable, meit, and aggreand with the tyme; and thairfore ordinit, and be the tennour heirof ordinis thame to pas fordeuard to the effect foirsaid. And to the effect the samyn may be the mair suirlye and starklie performed, gevis, grantis, and committis hir Hienes commissioun and full power to hir derrest bruther James Erle of Murray, with utheris of hir Secreit Counsale and noble men being in hir cumpanye, to pas forduart with thair kin, freindis, and servandis, to the pairt and place quhair the said Erle of Huntlie, his barnis and complices, sal happin to be the xxvij this instant October; and to tak with thame oure Soverane Ladeis baner, and put thame in armes, and to display hir said baner, and to resist, and, gif neid be, to persew the said Erle, his bairnis, and complices foirsaidis, for apprehending, taking, and bringing of thame to the law, to be punist for thair tressonable cumming in plane battell, in maner foirsaid, and utheris tressonable crymes committit be thame of befoir. And gif thai mak resistance, to persew thame to the deid, and fecht thame in plane battell, and to assemble oure Soverane Ladeis liegis to that effect. And gif the said Erle, his bairnis or complices and part takkaris being with thame in cumpanye, happinnis to fle and pas to houssis or strenthis, to lay assage to the samyn, and to continew thereat and in persewing of the saidis conspiratouris, sa lang as thai may remane on the feildis; and to raise fyre for apprehending of the saidis houssis and strenthis, and to do all uther thingis for performing of the premissis, as gif oure Soverane Lady wer present in propir persone. And this present commissioun to be of als greit avale, force, strenth and effect, as gif the samyn wer extendit in the maist ampill forme, undir the grete sele. Declarand heirby, that hir said bruther and utheris noble men foirsaidis, and personis being with thame in cumpany, sal incur na skaith nor danger in thair landis, bodeyis, or gudis, for apprehending, taking, slaying, of ony of the conspiratouris abone rehersit; and ordinis thir presentis to be insert in the bukis of Secreit Counsale, to remane thairin ad perpetuam rei memoriam, with lettres to be direct heirupoun for publissing of the samyn, commandand thairin all hir Graces liegis to ansuer and obey to hir said bruther and noble men foirsaidis being with him in cumpany, in all and sindrie thingis concerning the premissis; and to ryse and gang fordwart with thame to that effect, as thai will ansuer to the Quenis Majestie thairupoun.

Apud Edinburch, tertio Decembris, anno, etc. lxij°.

Sederunt. Willelmus Marescalli Comes. Jacobus Comes Moravie. Jacobus Comes de Mortoun. Johannes Dominus Erskin. Willelmus Maitland de Lethingtoun, Junior, Secretarius. Magister Robertus Richartsoun, Prior insule Sancte Marie, Thesaurarius. Johannes Wischart de Pittarro, Miles, Rotulator. Magister Jacobus M°Gill de Nether Rankelour, Clericus Registri. Johannes Bellenden de Auchnoules, Miles, Clericus Justiciarie.

The quhilk day, anent the terme assignit be the Quenis Majestie and Lordis of Secreit Counsale, to Guilliam Lanbier and Andro Lulley, procuratouris for Barnabe de Mirand and his collegis, for preving of the summondis persewit be thame aganis Thomas Kennedy of Bargany; comperit the saidis procuratouris and Maister David Makgill, thair prelocutour, and producit the Quenis Graces lettres, deulie execute and indorsit, berand that certane witnes wer summond to haif comperit befoir the Quenis Majeste and Lordis foirsaidis the xj day of October last bipast, with continuatioun of dais, to beir witnessing in the said mater; and als reportit and producit ane commissioun direct to the Senescall of Nantis, togidder with the depositionis of certane witnes ressavit, sworne, and admittit be him, for preving of the pointis of the saidis summondis, conforme to the said commissioun, and desirit proces in the said mater. Eftir the productioun quhairof the personis undirwrittin, that is to say, Adam Johnestoun, Gilbert Lauder, Thomas M°Cartnay, James Dalyell, Mungo Russell, Alexander Russell, Mark Broun, Robert Dalgleis, Richart Strang, Robert Dowglas, David Young, David Lile, Andro Pumfra, Maister George Hakket, Harie Bertane, Johne Burne, George Clarksoun, Andro Burne, Johne Moresoun, James Aikman, Andro Douglas, Adam Scot, Robert Lychtman, Andro Cokburne, Robert Patersoun, and William Patersoun—being at the command of the Quenis Grace callit to beir witnessing in the said mater, as thai that wer summond thairto of befoir, absentit thame selffiis, and nane comperit except the said Williame Patersoun, quha wes sworne and admittit; and the said Mark Broun and Andro Pumfra repellit; the said Guilliam Lanbier, procuratour foirsaid, and the said Maister David M°Gill, his prelocutour, being personalie present, and the said Thomas Kennedy of Bargany comperand be Maister Clement Litill, his procuratour; the said mater is be the Quenis Grace continewit in the samin forme, force, and effect as it is now, but prejudice of party, to the xx day of December instant, with continuatioun of dais; and ordinis the said procuratour to haif lettres to summond the witnes quhilkis wer summond of befoir and comperit nocht, that is to say, the saidis Adam Johnestoun, Gilbert Lauder, Thomas Makcartnay, James Dalyell, Mungo Russell, Alexander Russell, Robert Dalgleis, Richart Strang, Robert Douglas, David Young, David Lile, Maister George Hakket, Harie Bartane, Johne Burne, George Clerksoun, Andro Burne, Johne Moresoune, James Aikman, Andro Douglas, Adam Scot,

Robert Lychtman, Andro Cokburne, and Robert Patersoun,—to 'compeir befoir the Quene and Lordis foirsaidis, the said xx day of December instant, with continuatioun of dais, to beir witnessing in the said mater, under the pane of rebellioun and putting of thame to the horne; with certificatioun to thame, and thai failye thairin, uther lettres salbe direct to put thame to the horne, becaus thai wer summond heirto of befoir under the said pane of rebellioun, and comperit not; and utheris gif neid beis to compeir the said xx day of December instant, with continuatioun of dais, to beir leill and suithfast witnessing, in sa fer as thai knaw or salbe sperit at thame, in the said mater.

Wilhame Patersoun sworne and admittit.

Mark Broun being examinit upoun his conscience, confessis that he coft ane certane of the merchandice for the quhilk the actioun dependis, and for the samin become bundin to Walter Cant, extending to vij^{c} lĭ.; of the quhilk thair is ane part payit, and for the rest he is instantlie persewit befoir the Provost and Baillies of Edinburgh be Johne Cant, in name and behalf of the said Walter, and thairfore is repellit.

Andro Pumfra being sworne and examinat, deponis, that he coft five ballis of poldavy and uther claith at xxxviij lĭ. the pece, quhairof ane wes stollin fra him in the cuntre; and als deponis he boucht ane ball thairof fra William Cant, and uther foure fra the rest of the partineris, and thairfore is repellit.

The said Maister Clement Litill protestit that the hale witness ressavit and to be ressavit in the said mater, be not examinat bot upoun the pointis of the libell; the Quenis Majeste and Lordis foirsaidis referris the said examinatioun to the discretioun of the examinatouris. And als protestis that he may be hard to say aganis the commissioun quhen it salbe oppynnit, and that the saidis persewaris sall not be hard to produce ony uther commissioun.

The quhilk day, anent the terme assignit be the Quenis Majeste and Lordis of Secrete Counsale, to Barnabe de Myrand, Graciane Deragon, Undro Ewis, [here follow list and procedure as in p. 209, and referred to in p. 213]; comperit the said William Lanbier, procuratoure foirsaid, and Maister David M^{c}Gill, his prelocutoure, and producit lettres deulie execute and indorsate, berand that the personis underwrittin specifiit thairin and indorsat upoun the bak thairof, that is to say, Adame Johnestoun, Gilbert Lauder, William Patersoun, Thomas Makcartnay, James Dalzell, Williame Robesoun, Mungo Russell, Alexander Russell, Robert Dowglas, Richart Strang, Robert Dalgleis, David Young, David Lile, Maister George Hakket, Harie Bartane, Johne Burne, Andro Burne, George Clerksoun, Johne Moresoun, James Aikman, Andro Dowglas, Adam Scott, Robert Lychtman, Andro Cokburne, Robert Patersoun, Patrik Agnew sheref of Galloway, Williame Cuninghame of Laglane, Finlay Campbell of Corswell,

Alexander Campbell his sone, William Hiegait in Glasgow, Williame Adair of Kynhilt, Johne Schaw admirall officiar, Patrik M^cCrynnill in Girven, Johne Gordoun in Barskeoch, Patrik Blair in Wigtoun, Johne Makilhauche thair, Thomas Kennedy of Bargany youngar, Williame Cuninghame in Air, Johne Campbell barbour thair, Johne Reid, Alexander Stewart of Garroleis, Johne Gordoun of Lochinver, William Stewart in Air, Williame Cuninghame thair, Johne Purvenis thair, Robert Rankin thair, Andro Johnestoun thair, Schir Hew Kennedy of Girvenmanis Knycht, Maister Patrik Vas persone of Wigtoun, Matho Campbell scheref of Air, Hew Kennedy fader bruther to Gilbert Erle of Cassillis, Johne Dunbar of Mochrum, George Chalmer in Air, David Cathcart thair, Johne Broun of Drumley, Johne Lyn in Dalkest, Johne Mure in Indermessane, Williame Gordoun in Wigtoun, Johne Martine thair, Robert Johnestoun thair, Alexander Forester in Leith, and James Craufurd,—wer summond to compeir befoir the Quenis Majeste and Lordis of Secrete Counsale the secund day of November last bipast, to beir leill and suithfast witnessing, in sa fer as thai knaw or salbe sperit at thame, in the said mater, under the pane of rebellioun; and gif thai failyeit, the said day being bipast, to denunce thame oure Soverane Ladeis rebellis, and put thame to the horne, becaus thai wer summond thairto of befoir undir the pane of rebellioun and dissobeyit. Quhilkis personis being callit to compeir to the effect abone specifiit, and nane comperand except the saidis Williame Patersoun, Johne Dunbar of Mochrum, Maister Patrik Vaus, and Alexander Forestar,—the Quenis Majeste, with avise of the Lordis foirsaidis, ordinit the saidis lettres to be put to forther executioun upoun the remanent of the saidis personis, and thame to be denuncit to the horne be vertew thairof; and the persewaris to report the saidis lettres deulie execute and indorsat, the xx day of December instant for declaratioun of forther diligence in the said mater, and in the mentyme continews, etc.; the saidis Guilliam and Maister Clement Litill, procuratouris foirsaidis, warnit apud acta

William Patersoun admittit.

John Dunbar of Mochrum admittit.

Maister Patrik Vaus, persone of Wigtoun, admittit.

Alexander Forestar in Leith, being examinat, deponit that he redis the commoun prayeris in Leith, like as he hes done be the space of ane yeir bigane, and deponit he had certane barnis of Williame Forestaris at lering with him, quhairof the said Maister Clement askit instrumentis.[1]

The said Guilliame Lanbier, and Maister David M^cGill, his prelocutour, confessit that the said Alexander wes nocht in the west partis of this realm the tyme of the geving of the said decrete, quhairof the said Maister Clement askit instrumentis. The said Maister Clement protestit,—that in sa fer as it is aganis the practik that witnes be ressavit, admittit, or ex-

[1] Admittit ex officio and to be weyit at the discretioun of the Lordis examinatoris.

aminat, for preving of the geving of the said decrete, uther wayis nor the samin producit in writ beris,—that nochtwithstanding of the admissioun of the saidis witnes in maner foirsaid, thair depositionis mak na faith.

Apud Edinburch, sexto Decembris, anno, etc. lxij°.

Forsamekill as the Quenis Majeste understanding that Robert, Commendatar of Deir, and William Kirkcaldy of Grange, become actit in the bukis of hir Secrete Counsale, conjunctlie and severalie, to hir Grace, that Thomas Ker of Pharnehirst Knycht, suld compeir befoir hir Hienes at Edinburgh, or quhair it suld happin hir to be for the tyme, the x day of November last bipast, and nocht to eschaip nor eschew quhill he wer fred be hir Majeste undir the pane of ten thousand markis; and als that the said Thomas become actit that Andro Ker, and Williame Ker his brether, suld in likewise compeir befoir hir Grace the day foirsaid, and on no wise eschaip nor eschew quhill thai be fred be hir Grace, ather of thame undir the pane of ane thousand pundis; and hir Hienes knawing that the actioun and caus laid to thair charge, and for quhilk thai wer ordinit to compeir that ordoure mycht be takin with thame thairintill, is sensyne reparit, dressit, and aggreit, hir Hienes hes ordinit, and be thir presentis ordinis the said first Act, of the dait the xiiij day of August last bipast, to be deleit furth of the bukis of Counsale, and grantis that the saidis Robert, Commandatar of Deir, William Kirkcaldy of Grange, nor Thomas Ker of Pharnyhurst, Knycht, nor yit the saidis Andro nor William Ker, sall incur na danger of the saidis panis, nor skaith in thair bodyis or gudis thairthrow, be ony maner of way in tyme cuming.

Apud Edinburgh, xxiij Decembris, anno, etc. lxij°.

In presence of the Quenis Majestie and Lordis of Secrete Counsale, comperit Johne Lokkert, burges of Air, and offerit gif hir Hienes wald grant licence to the inhabitantis of Air and Irwin to sell the wynis cum in in twa schippis arrivit at the portis thairof for xiiij đ. the pynt, that the saidis inhabitantis suld sell all uther Burdeaulx wyne arrivit or to arrive at the saidis portis this present yeir for xij đ. the pynt.

Apud Edinburgh, sexto Januarij, anno, etc. lxij°.

In presence of the Lordis of Secrete Counsale, comperit Michaell Gilbert, burges of Edinburch, and producit ane pile and ane tursall maid for cunyeing of certane pecis of gold and silvir, the pile havand sunkin thairin foure lettris, viz. G S I H linkand within utheris, and the circumscription thairof berand "nemo potest duobus dominis servire," the tursell havand thre crescentis with ane thirsell closit within the samin writtin about "un dieu, un loy, un foy, un roy," togidder with twa punscheownis, the ane berand the saidis letteris of G S I H linkit as said is, and the uther berand the saidis crescentis and thirsell inclosit as said is; with the

quhilkis pile, tursell, and punscheownis he cunyeit certane pecis of gold and silvir, quhilkis being swa producit wer in presence of the saidis Lordis deliverit to Andro Hendersoun, wardane of the cunyehous, to be kepit be him unusit or prentit with in tyme cuming.[1]

Sederunt xviij° Januarij, anno, etc. lxij°, apud Edinburgh.

Jacobus Dux de Chatellarault, etc. Jacobus Comes de Mortoun, Cancellarius. Willelmus Maitland de Lethington, Junior, Secretarius. Johannes Wischart de Pittarro, Miles, Rotulator. Johannes Ballenden de Auchnoule, Miles, Clericus Justiciarie.

Anent the supplicatioun gevin in to the Quenis Majeste be Johne Harvy, Thomas Guild, Adam Scot, and George Simsoun, aganis Mark Commendatar of the abbay of Newbottill, makand mentioun that he put thame fra thair levingis thir thre yeris bigane, and he hes intromittit and intromittis with the hale frutis of the said abbay, and sensyne wald nevir gif thame worth ane penny to leif on, and in the mentyme thai haif spendit all that thai had, and is awand mekill in the cuntre that thai tuke in thair extreme povirte and necessite to thair sustentatioun, and dailie molestit and cravit thairfore, as at mair lenth is contenit in the said supplicatioun; and anent the charge gevin to the said Commendatar to compeir befoir the Quenis Grace and Lordis of hir Secrete Counsale at ane certane day bigane to ansuer to the said complaint, the said Commendatar being personalie present, and the saidis Johne, Thomas, Adam, and George siclike being personalie present, the Lordis of Secrete Counsale decernis and ordinis the said Commendatar to content, pay, and thankfullie deliver to ilkane of the personis abonewrittin the soum of tuentie pundis money of Scotland betuix this and the secund day of Februar nixt to cum; and that in contentatioun and full satisfactioun to thaim of thair sustentatioun, leving, and furnessing of all yeris and termes bigane, befoir the dait heirof, rest- and awand undeliverit to thame; and siclike decernis and ordinis the said Commendatar to content and pay to ilkane of thame yeirlie in tyme cuming, at twa termes in the yeir, Witsunday, and Martymes in winter, be even portionis, the soum of tuentie pundis for thair sustentatioun, leving, and furnessing, ay and quhill forther ordoure be taking thairintill and lettres to be direct heirupoun gif neid beis.

[1] *Pile.*—"Pile, a ball to play with," etc., "also the pile or under iron of the stampe wherein money is stamped; and the pile-side of a piece of money, the opposite whereof is a cross—whence je n'ay croix ny pile"—Cotgrave. "Pila Monetæ cujusvis pars aversa, vulgo *la Pile*"—Ducange.

Tursall.—Under the head "Torsata, Torsel, Torsellus," Ducange gives "Fascis, Fasciculus, *Gallice* Trousseau." Under "Trousseau" Cotgrave has "A Trussell: the upper iron or mould thats used in the stamping of coin." The Dictionnaire de Trevoux, among several meanings (including that best known at the present day, "Linge, ou hardes qu'une Mère donne à sa fille quand elle la marie)," gives "Trousseau en termes de monnoie, est le coin que porte l'empreinte de l'effigie ou de la croix, qui servoit a marquer la monnoye, quand on la fabriquoit au marteau."

The initials G S I H stand for George Seton and Isabella Hamilton, the piece being known as "The Seton Medal."

Sederunt xxij° Januarij, anno, etc. lxij°, apud Edinburgh.

Jacobus Dux Chattellarault. Jacobus Dominus Mortoun, Cancellarius. Jacobus Comes de Murray. Alexander Comes de Glencarne. Willelmus Maitland de Lethingtoun, Junior, Secretarius. Johannes Wischart de Pittarro, Miles, Rotulator. Magister Jacobus M^cGill de Nether Rankelour, Clericus Registri. Johannes Bellenden de Auchinoule, Miles, Clericus Justiciarie.

In the actioun and caus persewit be Barnabe de Mirand, Gracian Deragon, and thair collegis, merchantis and induellaris in the toun and foberis of Nantis in Bertanye, subjectis to the maist Cristin King, freindis and confederatis of this realme, and Guiliam Lanbier, thair procuratour, aganis Thomas Kennedy of Bargany, and admittit be thaim to preif that the said Thomas, Admiral Depute, gaif ane pretendit decrete and rolment of Court at Lochryane the xxv day of Junij the yeir of God j^m v^c lxj yeris, findand, deliverand, and decernand the hale gudis and geir takin and apprehendit in the schip callit the Pernick of Nantis, and specifiit and contenit in the Clerkis bukis, and markit with the markis insert thairintill,—to haif bene lauchfull and justlie takin be William Cant, capitane for the tyme of the schip callit the Marie Fortoun, and his cumpany, be virtew of ane pretendit lettir of marque specifiit in the said decrete; and that he and utheris, takaris thairof, and utheris havand interes thairto, mycht justlie intromet thairwith, sell and dispone thairupoun at thair plesour; to that effect that thai mycht preve the pointis of ane summondis intentit be thame aganis the said Thomas, for spoliatioun, reving, awaytaking, and withhalding fra thame of diverse ballis and merchandice specifiit and contenit in the said summondis. Comperit the said Guiliam Lanbier and Andro Luley, procuratouris for the saidis persewaris, and Maister David M^cGill, thair prelocutour, and repetit all probationis and uther thingis done of befoir alswele in this proces, as in the proces of the principal caus, quhilk may mak for preving of thair intent in the said mater.

Maister Thomas M^cCalyeane and Maister Clement Litill, procuratouris for the said Thomas Kennedy of Bargany, protestit that na probatioun deducit in the principale caus nor uther thing done thairin, and in the proces led thairupoun mak ony verificatioun probatioun, in this caus.

In the actioun and caus persewit be the saidis Barnabe de Myrand, Gracian Deragon, and thair collegis, merchantis, and induellaris in the toun and foberis of Nantis in Bertanye, subjectis to the maist Cristin King, freindis and confederatis of this realme, Guilliam Lanbier and Andro Luley, thair procuratouris, aganis Thomas Kennedy of Bargany, for the wranguis, violent, injust, and maisterful spoliatioun, reving, and awaytaking,—at the leist ressaving, resetting, intromitting with, detenyng, disponing, and withhalding be him self, his servandis, complices, and utheris in his name, of his

causing, command, assistence, and ratihabitioun,—fra the saidis merchandis, and every ane of thame, for thair aune part and portion, of ane schip callit the Pernick of Nantis, pertening to William Noblet, and ballis of gudis and merchandice being thairin, in the moneth of Maij the yeir of God j^{m}v^{c}lxj yeris; the samin schip, gudis, and merchandice than pertening to thame for thair aune partis, particularlie as thair aune proper gudis, and than being in thair possessioun upoun the seyis, makand saill and viage fordwart furth of the port and revir of Nantis, to the port and havin of Bilbo, in Spanye. Comperit the said Guiliame Lanbier procuratour foirsaid, and Maister David M^{c}Gill his prelocutoure, and producit ane act of court of the Provest and Baillies of Air, of the dait the xvj day of Junij the yeir of God j^{m}v^{c}lxj yeris, under the subscriptionis of Maister Michaell Wallace, Provest, Johne Lokkart and Johne Kirkpatrek, baillies of the said burch, and sele of office of the said brucht, as the samin beris for verificatioun and ferther probatioun in the said mater. And als reportit the hale writtis producit in the process of befoir, and in speciale maid reheirsale of the hale process as followis, in writ befoir the concluding of the caus and renunceing of farther probatioun.

In the first, thai report the article of peax contracted betuix our Soverane and the King of Spanyie, be the quhilk all lettres of marque grantit of befoir be oure Soveranis predecessouris to ony of the subjectis of this realme aganis the Spanyeartis, wer alluterlie dischargit; quhilk article is ane verray law, and thairfore suld not haif bene misknawin to the said Thomas, he takand upoun him to be ane juge ordinar in sik caussis as concernis the admiralite; and in sa fer as the said Thomas wald excuse himself be allegit ignorance thairof, his excuse is not probabill, quia ignorantia juris non debet judicem excusare; nor yit suld ony accept the office of jugement except he be habill and perfite to decide conform to the law.[1]

Item, for probatioun of the geving of the sentence, allegit gevin be the said Thomas, and siclike for probatioun of thair libell, thai repeit the confessioun of the said Thomas maid in presence of oure Soverane and hir Hienes Counsale, be the quhilk he grantis the ressait of ten or ellevin ballis, immediatlie fra the Cantis of Leith, allegiand thame to be tane for securite of the Admirallis dewite; quhilk confessioun provis sufficientlie thair intent,

[1] Treaties between Scotland and Spain:—"Ratification de Louis XII. Roi de France, de la Treve par François comte d'Angouleme, au nom du Roi, et de Jaques Roi d'Ecosse, dont il se faisoit fort, et de Pierre de Quintana pour Ferdinand Roi d'Aragon, tant en son nom, que de ceux des Rois Henri D'Angleterre, Maximilian Empereur, Jeanne Reine de Castille, et Charles Archeduc d'Austriche, Prince l'Espagne, dont il se faisoit aussi fort. A Orleans le 13 Mars 1513."—Dumont, Corps Universel Diplomatique, iv. P. i. 179.

"Traité conclu entre l'Empereur Charles Quint et Jaques v. Roi d'Ecosse le 24 de Juillet 1531. The Emperor engages himself as "Roi de Germanie, de Castille, de Leon, de Granade, d'Arragon," etc.—*Ib.* P. ii. 83.

"Traité de Paix conclu entre l'Empereur Charles v. et Marie Stuard Reine d'Ecosse a Binche en Hainaut le 15 de Decembre 1550." The Emperor here styles himself, "Divina favente clementiâ, Romanorum Imperator semper Augustus, ac Germaniæ, Hispaniarum, et utriusque Siciliæ Rex," etc.—*Ib.* P. iii. 10.

becaus na dewite culd haif bene awand to the Admirall except that ane decrete had bene gevin; and in sa fer as it is allegit be the said Thomas that thair wes na decrete gevin, the ressait of the saidis ballis makis the said Thomas expres spulyear and approvar of the spulye libellit; becaus it is maist certane that thair wes na weir, nowther with Franchemen nor Spanyeartis, bot baith the realmes wer than, and lang of befoir, like as thai ar yit, the Quenis Majesteis allyais and freindis; and swa it is certane, that quhether the gudis libellit had pertenit to Spanyeartis or Franchemen, the Admirall culd haif pretendit na rycht to ony part thairof, becaus the Admirallis dewite cumis quhair pryssis are first fundin lauchfull.

Item, thai protest, that gif it beis fundin that the said Thomas ressavit ony uther, or na ballis fra the saidis Cantis immediatlie, nor the ballis foirsaidis, and of ony uther caus than he grantis the ressait of the samin ballis, that the samin may be sufficient caus of condempnatoure aganis him.

Item, thai report the depositionis of the witnes, usit be thame for preving of the geving of the said sentence be the said Thomas, in safer as they may mak for thame, et non alias; and desiris the Quenis Grace, and hir Counsale, to haif consideratioun how they being strangearis hes maid grete diligence for having of sik witnes producit as wer neidful for preving of thair intent, and how the saidis witnes for quhat caus thai knaw not, culd nevir be compellit, bot ane few nowmer alanerlie to compeir; swa that thai ar, baith for lenth of tyme and for sustenyng of exhorbitant expenssis, compellit to conclude thair caus; requiring alsua oure said Souverane for expeditioun be ressone thai ar Spanyeartis, freindis and confederatis of this realme; and swa concludis.

Maister Thomas M^cCalyeane, procuratour for the said Thomas Kennedy of Bargany, protestit that the saidis persewaris be hard to use na forthir probatioun in the said mater.

The said Maister David M^cGill, prelocutour foirsaid, protestit in likewise, that for informatioun of the Quenis Majeste and Lordis foirsaidis he may produce sik writingis as may best informe thame.

The said Maister Thomas siclike protestit that he may haif inspectioun of the saidis writtis producit, and be hard to say aganis the samin, in sa fer as he may of the law; and als protestit that he may be hard to propone and use sik defenssis upoun the reservationis contenit in the proces of befoir, in sa fer as he may of law, and as may mak for the wele of his clyent.

The Quenis Majeste and Lordis foirsaidis assignis to the said Maister Thomas the sixt day of Februar nixt to cum, to say aganis the saidis

writtis producit, and to propone sik defenssis as he will use upoun the reservationis contenit in the said proces of befoir; and in the mentyme continewis the said mater in the samin forme, force, and effect, as it is now; but prejudice of party unto the said vj day of Februar; and the saidis procuratouris hinc inde warnit apud acta.

Apud Edinburch, xxiij Januarii, anno, etc. lxij°.

Sederunt. Jacobus dux de Chatellarault. Jacobus Comes de Mortoun. Jacobus Moravie Comes. Alexander Comes de Glencarne. Johannes Dominus Erskin. Thesaurarius. Rotulator. Secretarius. Clericus Registri. Clericus Justiciarie.

In presence of the Quenis Majeste and Lordis of Secrete Counsale, comperit Johne Achisone maister cunyeour and Johne Aslowane, burges of Edinburcht, and gaif in this, thair band undirwrittin, and desirit the samin to be insert in the bukis of Secrete Counsale, with lettres and executorials of horning or poinding to be gevin thairupoun, for compelling of thame to fulfill the samin in forme as efferis; quhilk desire the Quenis Hienes and Lordis foirsaidis thocht ressonable, and thairfore ordinit the samin to be insert in the saidis bukis, with lettres and executorialis to be gevin thairupoun, in maner foirsaid, of the quhilk the tennour follows. We, Johne Achisone and Johne Aslowane, burges of Edinburgh, be the tennour heirof, bindis and oblisses us faithfullie to the Quenis Majeste and her Hienes Thesaurar, in hir name; forsamekill as hir Grace hes grantit and gevin licence to us, oure partinaris and servandis, in our name, to wirk and wyn in the leid mynis of Glengoner and Wenlok, samekill leid ure as we may gudlie, and to transport and carie furth of this realme to Flanderis, or ony utheris partis beyond sey, twenty thousand stane wecht of the said leid ure comptand sex skoir to the hundreth trone wecht, comprehendand thairin five thousand stane wecht of the said ure, ellis send be us to Flanderis as hir Hienes licence grantit to us thairupoun beris; heirfore we bind and obliss us faithfullie to the Quenis Majeste, and hir said Thesaurar, in hir name, to deliver to hir Graces cunyehous, betuixt this and the first day of August nixt to cum, fourtie five unce of uter fyne silvir, for every thousand stane wecht of the saidis twentie thousand stanis of leid ure, extending in the hale to nyne hundreth unces of uter fyne silvir, without ony forther delay; and heirto we bind and obliss us faithfullie be thir presentis, and ar content that this oure obligatioun be actit and registrat in the bukis of Secrete Counsale, with lettres and executorialis of horning or poinding to be gevin thairupoun, for compelling of us to fulfill the samin in forme as efferis; subscrivit with our handis, at Edinburch, the xxiii day of Januare, the yeir of God, j^{m}v^{c}lxij yeris.

Apud Edinburch, xxviij° Januarii, anno, etc. lxij°.

Sederunt. Jacobus dux de Chattellarault. Jacobus Comes de Mortoun. Alexander Comes de Glencarne. Johannes Dominus Erskin. Rotulator. Secretarius. Clericus Registri. Clericus Justiciarie.

In presence of the Quenis Majeste and Lordis of Secrete Counsale foirsaidis, comperit Marioun Carrutheris, ane of the twa dochteris and airis of umquhile Symon Carrutheris of Mouswald, and Charlis Murray of Cokpule, hir moder bruther, and desirit the Quenis Majeste to permit the said Marioun to pas to the burgh of Edinburch, thair to consult and avise with hir freindis anent the thingis requirit of hir be the Counsale in the Quenis Grace name, for the commoun wele of this realm, quhill the penult day of Januar instant, schö the said day being presentit agane before thame in the samin schö is now in, quhilk the Quenis Majeste grantit; and thairfore the said Charlis promittit, band, and oblist him, that the said Marioun suld be presentit befoir the Quenis Majeste and Lordis foirsaidis the said penult day of Januar instant, in eodem statu et eadem causa that schö now is in without ony band or contract of mariage, selling of hir landis, or ony utheris bandis or promissis to be maid be hir in the mentyme; and als the Quenis Majeste and Lordis foirsaidis, declarit that the said Marioun wes fre and at hir aune liberte, and that James Erle of Mortoun, Chancellar, in quhais landis schö wes consignit is fre of all forthir keping of hir, and exonerit and dischargit thairof; and als that James Dowglas of Drumlangrig, Knycht, hes obtemperit and obeyit the command of the decrete and lettres obtenit and purchest aganis him be the said Charlis, and utheris, the said Mariounis freindis, for putting of hir to liberte, in sa fer as concernis the said Marioun.

Apud Edinburgh, primo Februarii, anno, etc. lxij°.

Sederunt. Jacobus Dux de Chattellarault. Jacobus Comes de Mortoun. Jacobus Moravie Comes. Alexander Comes de Glencarne. Thesaurarius. Rotulator. Secretarius. Clericus Registri. Clericus Justiciarie.

In presence of the Quenis Majeste and Lordis of Secrete Counsale, comperit Johne Lord Borthuik, and Marioun Carrutheris, ane of the twa dochteris and airis of umquhile Symon Carrutheris of Mouswald; and the said Lord knawing the said Marioun to be his tendir freynd and kynniswoman, acceptit hir to be in cumpany with him, his barnis and familie, at her aune liberte and fredome, for the space of fourty dais nixt to cum, eftir the day of the dait heirof, and he and the said Marioun band and oblist thame to the Quenis Majeste that schö sall remane with the said Lord and his barnis, and on na wise depart fra him to Ananderdale or ony uther partis, during the said space of fourty dais, undir the pane of twa thousand pundis; and als the saidis fourty dais being bipast, that schö sall not thaireftir depart fra the said Lord quhill he mak advertisment of

hir departing, and day thairof, in speciale to the Quenis Majeste and Counsale, ane certane ressonable tyme and space befoir hir departing, that the Quenis Majeste may tak ordoure thairin, as accordis, undir the pane abone reheirsit; and the said Marioun oblist hir to releve the said Lord of the premissis.

Apud Edinburgh, sexto Februarij, anno, etc. lxij°.

Sederunt. Jacobus Dux de Chatellarault. Jacobus Comes de Mortoun. Jacobus Moravie Comes. Alexander Comes de Glencarne. Johannes Dominus Erskin. Thesaurarius. Rotulator. Secretarius. Clericus Registri. Clericus Justiciarie.

In the actionis and caussis persewit befoir the Quenis Majeste and Lordis foirsaidis be Barnabe de Myrand, Gracian Deragon, and thair collegis, etc.; aganis Thomas Kennedy of Bargany, alswele for spoliatioun, etc., of the gudis mentionat in the principale summondis, as for preving of the geving of the decrete, etc.; comperit Guiliam Lanbier and Andro Luley, procuratouris for the saidis merchantis, and Maister David M°Gill thair prelocutour, and als the said Thomas Kennedy and Maister Thomas M°Calyeane, and Maister Clement Litill his prelocutour; quhilkis protestit that na forthir probatioun be ressavit, nor na witnes exemenit for preving of ony of the saidis caussis, nor is ellis ressavit and exeminit; quhilk the Quenis Majeste and Lordis foirsaidis admittit, and thairupoun Maister Thomas askit instrumentis.

The saidis partiis and thair procuratouris and prelocutouris foirsaidis, hes nemmit Maister George Buchquhannane and Rolloc to interpreit the writtis producit in proces, writtin in Spanis langage, furth of the samin in Franche, Latyne or Inglis, that the Quenis Grace and Counsale mycht thaireftir understand the samin.

The Quenis Grace and Lordis foirsaidis ordinis the said Thomas Kennedy of Bargany, and his prelocutouris abonewrittin, to haif inspectioun of the hale writingis producit be the saidis persewaris in baith the saidis processis, that thai thairefter mycht object aganis the samin, except onlie the depositionis of the witnes, and for geving of inspectioun to thame of the samin, assignis the aucht, nynt, and tent dais of Februar instant; and als ordinit the said Maister David M°Gill to warne the saidis Maister Thomas M°Calyeane and Maister Clement Litill, aucht dais befoir the avising of the proces, that thai may compeir and object aganis the said writtis producit.

Apud Edinburgh, xi Februarii, anno, etc. lxij°.

Sederunt. Dicti Domini.

Forsamekill as be act and statute maid be the Quenis Majeste, with avise of the Lordis of hir Secrete Counsale, and nobilite than assamblit, it wes

ordinit of befoir, that na maner of persone or personis, suld be removit fra thair rowmes and stedingis, of quhatsumevir kirklandis set in few, sen the vj day of Marche, the yeir of God j^{m}v^{c}lviij yeris, bot bruke and joise the samin without danger of violence, quhill the feist of Whitsunday, the yeir of God j^{m}v^{c}lxiij yeris; that in the mentyme ordour mycht be takin thairin be the Estaittis in Parliament for the wele of the cuntre as the said Act beris; and becaus of sik besines as hes occurrit sen the making of the said Act, and that na Parliament sensyne hes bene haldin, na ordoure as yit is takin thairanent. Thairfore the Quenis Majeste, with avise of the saidis Lordis of hir Secrete Counsale, yit, as of befoir, statutis and ordinis, that na maner of persone or personis be removit fra thair rowmes and stedingis, of quhatsumevir kirklandis set in few sen the said sext day of Marche, the yeir of God j^{m}v^{c}lviij yeris, bot bruke the samin without danger of violence quhill the feist of Witsunday, the yeir of God j^{m}v^{c} threscoir and foure yeris, that in the mentyme ordoure may be takin thairin be the Estattis in Parliament for the wele of the cuntre as said is, and ordinis the Lordis of Sessioun, and utheris jugeis of this realme, to desist and cese fra all proceding aganis ony of the saidis personis callit for violent occupatioun of the saidis landis, set in few sen the said sixt day of Marche, as said is, quhill the feist of Witsunday, the yeir of God j^{m}v^{c}lxiiij yeris, dischargeing thame thairof, and of thair offices in that part in the mentyme, and ordinis lettres to be direct heirupoun gif neid beis.

Apud Edinburch, xj Februarii, anno, etc. lxij°.

Forsamekill as the Quenis Majeste and Lordis of Secrete Counsale, undirstanding that in the spring of the yeir callit Lentryne, all kindis of flesche debilitatis, dekayis, and growis out of seasone, swa that in that tyme thai ar na wise commodious to be eittin; and als that be the tempestuous stormys of the winteris past, the hale gudis wer sa trakit, smorit, and deid, that the prices of the flesche ar rissin to sik extreme derth that the like hes not bene sene within this realme; and gif sik derth continew it wil be to the grete hurt of the commoun wele thairof. For remeid of the quhilk, it is statute and ordanit be the Quenis Majeste, with the avise of the Lordis of hir Secrete Counsale, that nane of hir Graces lieges, of quhat estait or conditioun that evir thai be, except sik as ar vesyit with extreme seiknes, eit ony kinde of flesche in the tyme of Lentryne in ony tyme thairefter, that is to say fra the day of Februar to the day of Marche, undir the pane of ten pundis for the first falt, tuentie pundis for the nixt falt, and confiscatioun of all thair movable gudis to oure Soverane Ladeis use for the thrid falt. And ordinis lettres to be direct to officiaris of the Quenis, shereffis in that part, chargeing thame to pas to the mercat croces of all the burrois of this realme and utheris places neidfull, and thair be oppin proclamatioun, in oure Soverane Ladeis name and autorite, command and charge all and sundrie hir Graces liegis, that nane of thame tak upoun hand to eit in ony tyme heirefter, in the tyme of Lentryne foir-

said, ony maner of flesche, except sik personis as ar vesyit with extreme sikness, undir the pane foirsaid; and that na flescheouris, oistlaris, cukis, tavernaris, or ony uther personis, sell ony maner of flesche, or prepair the samin to be sauld to ony of the leigis of this realme, undir the pane of confiscatioun of all thair movable gudis to our Soverane Ladeis use for thair contemptioun.

Apud Sanctum Andream, xx° Aprilis, anno, etc. lxiij°.

Sederunt. Jacobus Comes Moravie. Jacobus Comes de Mortoun. Willelmus Marescalli Comes. Joannes Atholie Comes. Willelmus Dominus Ruthven. Thesaurarius. Clericus Registri. Clericus Justiciarie.

The quhilk day, in presence of the Quenis Majestie and Lordis abonewrittin, comperit Edward Reidheuch of Cultvegrane, and become cautioun and souertie for Patrick Johnesoun in Glenleidnocht, Patrik Johnesone his bruther thair, and Patrik Duncanson thair, that thai and ilkane of thame sall enter thair persone in ward, within the boundis of the Sherefdome of Berwik, betuix this and the tent day of Maij nixt to cum, and to remane within the samyn upoun thair awin expenssis; and on na wyise eschaip nor eschew, nor pas furth of the boundis thairof, quhill thai be fred and relevit be the Quenis Majestie, ilk ane of thame, under the pane of fyve hundreth merkis.

Apud Edinburgh, xviij° Junii, anno, etc. lxiij°.

Sederunt. Jacobus Moravie Comes. Willelmus Marescalli Comes. Joannes Dominus Erskin. Patricius Dominus Ruthven. E. Rossensis. Thesaurarius. Rotulator. Lethingtoun, Senior. Clerici Registri et Justiciarie.

Forsamekle as eftir the arrivale of ane schip, quhairof Richart Bane, Inglisman in Derthmouth, wes skippar and maister, in the raid of Quhithorne, being only in hir, at hir arrivale, foure men; the Provest and Baillies of Quhithorne suspecting hir to be ane pirate, enterit in the said schip, the saidis foure personis being thairin, and brocht thame on land, and causit bring in the said schip to the havin of Quhithorne, quhair schō as yit remanis. Quhairof the Quenis Grace being advertisit, causit send for the said maister, and the utheris thre personis being with him in the said schip, quhilkis being presentit before the Lordis of hir Secrete Counsell, declarit thame selfis to be faythfull obedient subjectes to the Quene of Ingland, and that thai had commissioun and power of the deputie and kepar of New Havin, in France, to apprehend and tak, as lauchfull pryise, all personis and thair gudis quhilkis wer inemyis or resistaris to the religioun than professit be the Prince of Condy, admirall, and utheris of

the Congregatioun of that realme; and that thair wes within the said schip thre score aucht poundis sterling money pertening to the maister, and sevintene pundis fourtene schillingis money foirsaid pertening to the saidis marineris; thre score barrellis of quheit, ane brasin pece of artailyerie, ten irn pecis, foure ankeris, and foure cabillis. Quhilk being considerit be the saidis Lordis, and thai willing that the treuth thairof suld cum to lycht, and that the innocent suld sustene na hurt, hes ordanit that Thomas Bird, Inglisman, ane of the personis being in the said schip, depart towartis the partis of Ingland, and returne agane thairfra betuix this and the xv day of August nixt to cum, and bring with him sufficient testificatioun and verificatioun that he and the said Richart Bayne ar lauchfull, trew, and obedient subjectis to the Quene of Ingland, and avowit as hir liegis; and als bringand with him the commissioun and power grantit to him and his collegis, be the deputie and kepar of the toun of New Heavin foirsaid, quhairby thai mycht intromet, apprehend, and tak the schip and gudis abone specifiit, that thaireftir the Quenis Majestie, with avyse of hir Counsale, may tak ordoure thairin as accordis; and quhill the said testificatioun and verificatioun be presentit as said is, the Quenis Grace ordanis the remanent of the saidis personis being in the said schip, that is to say, the said Richart Bayne, Inglisman, David Johnestoun and James Robesoun Scottismen, to remane in sure firmance and keping with Johne Gordoun of Lochinver, quha hes promittit to be answerable for thame; and in the meintyme ordanis the said Johne to ressave the money foirsaid being in the said schip, togidder with the price of the saidis thre score barrellis of quheit, sauld be the saidis Provest and Baillies, extending to the sowme of fourtie poundis, fra the samyn Provest and Baillies, to be kepit be him, and to be furth cummand be the personis havand maist rycht thairto; and to deduce in the first end thairof the expenssis maid be the saidis Provest and Baillies in taking of the said schip, and personis being thairin, keping and bringing of thame to the burgh of Edinburgh, or utherwyise debursit be thame for the said cause, and to be maid or debursit be the said Johne thairupoun heireftir, that thairby and be the travellis to be takin be him thairin, the rest thairof may be furthcumand to the partie havand maist rycht thairto. And gif the said Thomas Bird, Inglisman, returnis nocht agane within this realme, to the effect foirsaid, betuix and the said fyftene day of August nixt to cum, ordanis the said Johne, the said day being bipast, to sell the said schip, munitioun, and ankeris being thairin to the uter avale; and to intromet with the money thairof, and keip the samyn in his handis, to be furthcumand with the rest of the money forsaid to the personis havand most rycht to the samyn; and immediatlie eftir the selling thairof, that the said Johne repair towart the Quenis Majestie, quhair it sal happin hir to be for the tyme, and ressaif forther instructioun quhat hir Hienes will haif done in the premissis. And gif the said schip and gudis and personis being thairin beis fund lauchfull pryise and presonaris, the Quenis Majestie sal tak sik ordoure thairin as the saidis Provest and Bailleis salbe satisfiit, as accordis.

The samyn day the Quenis Majestie, undirstanding that the actioun and caus intentit and persewit befoir hir Hienes and Lordis of oure Secrete Counsale be Barnabe de Myrande [names repeated], and Guiliam Lanbier and Andro Luley, thair procuratouris, in thair names, aganis Thomas Kennedy of Bargany, for the wrangus, violent, unjust, and maisterfull spoliatioun, reving, and awaytaking, ressaving, ressating, intrometting with, detenyng, disponing, and withhaldin be himself, his servandis, complices, and utheris in his name, of his causing, command, assistence, and ratihabitioun fra the saidis merchantis, and every ane of thame, for thair awin part and portioun, of ane schip, callit the Pernik of Nantis, pertenyng to the said Williame Noblet, and ballis of gudis and merchandice being thairin, in the moneth of Maij, the yeir of God j^{m}v^{c}lxi yeiris, the samyn schip, gudis, and merchandice than pertening to thame for thair awne partiis, particularlie as thair awne propir gudis, and than being in thair possessioun upoun the seyis, makand saill and viage fordwart furth of the port and river of Nantis to the port and havin of Bilbo, in Spanye, and laitlie of befoir being schippit be thame, and ilkane of thame, for thair awne propir part and portioun, thair servandis and utheris in thair names, in the said schip, and markit with thair awne propir markis at the said toun and port of Nantis, to haif bene caryit and transportit thairfra to the said port and toun of Bilbo, thair to haif bene usit, sauld, and disponit be thame, thair servandis and factouris in thair names, to thair utilitie and proffitt; and nochtwithstanding, wer violentlie, maisterfullie and unjustlie reft spoilyeit and takin, the tyme forsaid, be Williame Cant, and Walter Cant, sones to Walter Cant, induellar in Leith, or thair complices; and thaireftir in the moneth of Junij, the yeir of God foirsaid, wer brocht in be thame within this realme at the port and havin of Lochryane, and sensyne ressavit, resset, intromettit with, detenit, disponit, and withhaldin, be the said Thomas, his servandis and utheris in his name, of his causing, command, assistence, and ratihabitioun at his plesour,—extending to diverse and sindrie ballis of gudis, as is allegit, as at mair lenth is contenit in the principale summondis raisit thairupon, hes dependit before hir Hienes and Lordis of hir Secrete Counsell foirsaidis certane tyme bypast; and the saidis Lordis being avisit with the said mater, sa fer as yit procedit, the Quenis Grace being present, and being of will and mynd that the saidis merchantis be na wise frustrat nor defraudit of thair gudis, bot get restitutioun and redres thairof, alsone as may be possible with all favorable expeditioun as may be done of justice, for forther tryale and better knawlege thairof, hes grantit and committit, and be thir presentis grantis and committis to hir lovittis, familiar clerkis and counsaleris, Maister Abrahame Chreichtoun Provest of Dunglas, Maister James M^{c}Gill of Nether Rankelour Clerk of Register, and Maister Johne Spens of Condy hir Graces Advocat, or ony twa of thame, conjunctlie, hir Hienes full power and speciale mandate, to direct out thair preceptis or summondis to call before thame all and sindrie personis quhilkis intromettit at ony tyme with the saidis ballis merchandice and gudis, or ony part thairof, to com-

peir before thame or ony twa of thame, in the Towbuith of Edinburgh, or ony uther place thai sall think expedient, upoun viij, vij, vi, v, iiij, or thre dayis warnyng, or schortar or langar, as thai sall think expedient, to answer at the instance of the saidis merchantis or thair procuratouris, for spoliatioun or intromissioun with the saidis ballis and gudis, or ony part thairof, as thai pleis libell, be simple supplicatioun, letteris, or utherwise, and to proceid in the said mater summarie, et de plano sine strepitu et figura judicii; and gif decreit beis gevin aganis ony of the saidis personis, or uther wayis gif the saidis jugeis and commissaris, the tyme of the dependence of the pley, thinkis it necessar that ony personis persewit be incarcerat, to commande thame to warde, to remane thairin upon thair awne expense quhill satisfactioun and payment be maid be thame of samekle of the saidis gudis as salbe fundin intromettit with be thame, and that without prejudice of uther executioun, of poinding of thair gudis, or apprising of thair landis. And hir Hienes ordinis the capitanis and keparis of hir castellis within this realme, upoun ane warrand to be gevin be the saidis jugeis, or ony twa of thame, to ressave sik personis as salbe specifiit thairin in ward, to the effect that the saidis merchantis be nocht frustrat of payment of the gudis to be recoverit be thame; and siclyke, in favoris of the saidis merchantis, ordanis nocht allanerlie the saidis commissioneris, or ony twa of thame, to proceid civilie, as is abone specifiit; bot alsua commandis and ordinis hir Hienes Grate Justice and his deputes to proceid criminallie upon all sik persone or personis as salbe dilatit as suspect of the spoliatioun or intromissioun with the saidis ballis and gudis, or ony part of thame, at particular dais and diettis, and to do justice upon thame with vigour; and generallie, all and sindrie uther thingis to do exerce and use, that to the office of Jugeis and Commissioneris in sik caussis of law or consuetude is knawin to pertene.

The day foirsaid, the Quenis Majeste ordinis the said Thomas Kennedy of Bargany to consigne and put in the handis of Maister Johne Spens of Condy, hir Hienes Advocat, the soum of thre hundreth merkis, usuale money of Scotland, and to consigne forther sowmes in his handis, as salbe thocht expedient, be Maister Abrahame Creichtoun Provest of Dunglas, Maister James Makgill of Nether Rankelour Clerk of Registre, and the said Maister Johne, Commissioneris, constitute be hir Grace to the effect contenit in the uther act nixt preceding, or ony tua of thame, for furnessing of procuratouris, sollistaris, and utheris doars for the saidis merchandis of Nantis, of all expensissis maid in deduceing and pleying of the said caus, to be led befoir the saidis Commissionaris, or the Greit Justice and his Deputis, unto the finale end of the samyn, that thaireftir the Lordis of Secreit Counsale may put finale end thairin; and siclike, ordanis Maister Robert Creichtoun, ane uther of the Quenis Graces Advocattis, to concur and assist to the saidis merchandis and thair procuratouris in the said actioun, unto the finale end and decisioun of the samyn.

The samyn day, in presence of the Quenis Majestie and Lordis of hir Secreit

Counsale, comperit Robert Ellot of Reidheuch, and thair, befoir God, hir Majestie and Counsale foirsaid, gaif his ayth of fidelite that he sall lelalie and trewlie keip the hous of the Armytage, and keip and fulfill all the pointis and articlis contenit in the generall band maid and gevin be him and the remanent baronis and gentilmen of the cuntre to hir Hienes, at his uter power, and obey quhatsumevir commandment hir Majestie or hir Graces officiar, the kepar of Liddisdale, in hir Hienes name, chargis him, and gif leill, trew, and faithfull counsale how the cuntre shal be rewlit; and tak afald and plane part in setting fordwart the Quenis Grace service in all thingis, with his kin, freindis, tennentis, servandis, assistaris, and partakaris; and sall mak the hous of the Armytage patent at all tymes to hir Hienes; and sall ressave hir Hienes Kepar of Liddisdale thairin alsoft as he salbe requirit; and shall, with his foirsaidis, do the best service he can or may anent the rewling of Liddisdale and the Bordouris; and sall accept upoun him the office of Deputrie of the keping of Liddisdale fra the Principall Kepar thairof, and mak the samyn answerable bayth to Ingland and Scotland, sa fer as he may at his power; and sall keip court and tryist at the said Keparis command, alsweill with Ingland as Scotland; and shall nevir conceill thift nor tressones, bot sall adverteis the Quenis Majestie thairof, or the Kepar foirsaid in hir name; and sall help to speir and fyle billis alsweill of Ingland as Scotland; and als, sall cause his hale kin, freindis, allia, tennentis, and partakaris fulfill the premissis at thair powar; and gif ony dissobeyis the Kepar in ony thingis, that he, with his foirsaidis, sall ryde with the said Kepar, and utherwyise, as he salbe commandit, tak and apprehend the dissobeyaris and put thame in ward, or uther wyise punis thame as he salbe commandit, at his uter power, and ressave thairin quhatsumevir faltaris to be kepit upoun thair awne expenssis, quhilkis he salbe commandit to ressaif be the Quenis Majestie or Kepar abonewrittin; and sal deliver the said hous agane to the Quenis Majestie howsone that evir he be requirit thairto, in the samyn estait as he ressavis it, and thairfoir the Quenis Majestie declaris that the said Robert sal haif for keping of the said hous and his uther service abonewrittin, yeirlie the soum of ane hundreth merkis of money, fyve chalderis of vittale—half beir, half meill, with the manis adjacent to the said hous, in tyme of peax, and gif gretar occasioun servis, forther consideratioun salbe takin thairof be the Quenis Graces and saidis Lordis of hir Secreit Counsale.

The samyn day, Williame Dowglas of Cavers become cautioun and souirtie for the said Robert Ellot of Reidheuch, that he sall keip the hous of Armytage to the Quene Majesties behuif, and deliver the samyn to hir Graces quhat tyme he beis requirit thairto, and als mak the said hous patent to the Kepar of Liddisdale present and being for the tyme, and ressave thairin all malefactouris, to be kepit suirlie, alsoft as he salbe commandit be the Kepar of Liddisdale, under the pane of fyve thousand markis, and the said Robert oblissis him to releif the said Williame thairof at the Quenis Grace handis.

Apud Glasgow, viij° Julij, anno 1563.

Sederunt. Archibaldus Ergadie Comes. Jacobus Comes de Mortoun. Jacobus Moravie Comes. Joannes Dominus Erskin. Joannes Ballenden de Auchnoule, Miles, Clericus Justiciarie. Willelmus Maitland de Lethingtoun, junior, Secretarius.

The quhilk day, in presence of the Quenis Grace and Lordis of hir Secreit Counsale, comperit Johne Maxwell of Nether Pollok, and become cautioun and souirtie for Johne Maxwell of Terriglis, Knycht, that the Inglis schip callit the Grype, quhairof Richard Vande is maister, with the munitioun, money, and gudis being thairin, intromettit with be Johne Gordoun of Lochinver, at hir Hienes command, and ordanit be Hir Majestie to be deliverit to the said Johne Maxwell of Terriglis, Knycht, salbe furthcumand and deliverit to the Quenis Grace, or ony uther partie or parteis havand interes thairto, as law will, under the pane of payment of the avale of the samyn schip, money, munitioun, and utheris gudis being thairin, quhairto thai sal happin to be apprysit be the said Johne Gordoun of Lochinver, conforme to the Quenis Grace directioun, gevin to him thairupoun, to hir Majestie or sik utheris schö thinkis gude ; and the said Johne Maxwell of Terriglis, Knycht, hes actit and oblist him to releif the said Johne Maxwell of Nether Pollok thairof, and to keip him skaithless of the samyn.

Apud Glasgow, xiij° Julii, anno 1563.

Sederunt. Jacobus Comes de Murray. Jacobus Comes de Mortoun. Joannes Dominus de Erskin. Willelmus Maitland de Lethingtoun, junior, Secretarius. Joannes Ballenden de Auchnoule, Miles, Clericus Justiciarie.

The quhilk day, in presence of the Lordis of Secreit Counsale abonewrittin, comperit baith thir parteis under specifiit, and gaif in this contract and appointment underwrittin, subscrivit with thair handis, and desirit the samyn to be insert and registrat in the bukis of Secreit Counsale, to haif the force, strenth, and effect of ane act and decreit of the Lordis thairof in tyme to cum, and lettres and executoriallis of horning or poinding to be gevin thairupoun for compelling of thame to fulfill the samin to utheris in forme as efferis. The quhilk desire, the saidis Lordis thocht ressonable, and thairfoir hes ordanit and ordanis the said contract to be insert and registrat in the saidis bukis, to haif the strenth, force, and effect of thair act and decreit in tyme to cum, and hes interponit and interponis thair autorite to the samin, and decernis and ordanis lettres to be direct, for compelling of ather of the saidis parteis to fulfill the samyn to utheris, in all pointis, eftir the forme and tennour of the samyn. Of the quhilk the tennour follows : —At Glasgow, the xiij day of July, the yeir of God $j^{m}v^{c}lxiij$ yeris, it is appointit and finalie aggreit betuix ane honorable man, James M^{c}Coneill

of Dunayvaig on that ane part, and Ferquhar M°Alester of Sceirhow on that uther part, in maner, forme, and effect as eftir followis; that is to say, the said Ferquhar sall infeft, heritablie be his charter of alienatioun and precept of saising titulo oneroso, with claus of warrandice as efferis, the said James, his airis and assigneis; or utherwyise be resignatioun to be maid be him in the handis of our Soverane Lady, his superior, in favour of the said James, his airis and assignais,—in all and hale the landis of Kilfedder, Kerhillie, Askernes, Froubost, Kervelcoise, Kildonan, tua baroneis, extending in the hale to xxiij merkland of auld extent, with thair pertinentis liand in the Ile of Uyst, within the sherefdome of Invernes, to be haldin of oure Soverane Lady and hir successouris, as best sall pleise the said James, his airis and assignais. For the quhilk caus, the said James hes payit to the said Farquhar the sowme of ane thousand merkis, usuale money of Scotland, quhairof he haldis him weill contentit and payit, for him, his airis, executouris and assignais; and exoneris, quitclames, and dischargis the said James, his airis, executouris, and assignais thairof, for now and ever; and als the said James sall stand gude freind and maister to the said Farquhar, and do for him in all his honest and lefull actionis and caussis; and for observing, keping, and fulfilling of all and sindrie the premissis, bayth the saidis parteis faithfullie bindis and oblissis thame to utheris, and ar content and consentis that the samyn be actit and registrat in the bukis of oure Soverane Ladeis Secreit Counsale, and to haif the strenth of ane decreit of the Lordis thairof, and that lettres be direct thairupoun in dew forme as efferis; in witnes of the quhilk thing bayth the saidis parteis hes subscrivit thir presentis with thair handis as follows, day, yeir, and place foirsaidis, befoir thir witnissis: Sir Johne Ballenden of Auchnowle, Knycht, clerk of oure Soverane Ladeis justiciarie; Johne Stewart of Mynto; James Bannatyne, burges of Edinburgh; Johne Grahame, and Johne Muschet, notaris publict, with utheris diverse. Sic subscribitur, James M°Coneil of Dunyvaig; Farquhar M°Alester of Skeirhow, with my hand twiching the pen, be the notar undirwrittin becaus I culd not writt: Ita est Johannes Muschett, notarius publicus, de speciali mandato dicti Farquhardi, scribere nescientis.

Apud Drumfreis, xix° Augusti, anno 1563.

Sederunt. Jacobus Comes Moravie. Jacobus Comes de Mortoun. Willelmus Maitland, junior de Lethingtoun, Secretarius. Joannes Bellenden de Auchnowle, Miles, Clericus Justiciarie.

The Quenis Majestie understanding that, at the desire of hir lovitt servitor Johne Maxwell of Terriglis, Knycht, Wardane of the West Marchis of hir realme, Johne Maxwell of Nether Pollok become cautioun and souirte, actit in the bukis of Secreit Counsale, for the said Johne Maxwell of Terriglis, Knycht, that the Inglis schip, callit the Greip, quhairof Richard Baid wes maister, with the munitioun, money, and gudis being thairin

intromettit with be Johne Gordoun of Lochinver, at hir Hienes command, and ordanit be hir Majestie to be deliverit to the said Johne Maxwell of Terriglis, Knycht, salbe furthcumand and deliverit to the Quenis Grace, or ony uther partie or parteis havand interes thairto, as law will, under the pane of payment of the avale of the samyn schip, money, munitioun, and utheris gudis being thairin; quhairto thai ar apprysit be the said Johne Gordoun of Lochinver, conforme to the Quenis Majesteis directioun gevin to him thairupoun, to hir Hienes or sik utheris as schö sall think gude; and that sen the making of the said act, the Lord Scrope of Ingland, wardane of the West Marchis of Ingland, hes direct his writing to the said Johne Maxwell of Terriglis, Knycht, avowand the said schip to be lauchfullie takin in the lait trublis in France, and thairfoir demanding and procuring the samyn, with the mairineris and gudis being thairin, to be restorit to him, to the behuif of Thomas Wolfall, Inglisman, taker thairof, quhairin he is content; and upoun the resset of the samyn schip and gudis becumin bundin to the said Johne Maxwell of Terriglis, Knycht, gif ony clame may be had be ony of the subjectis of France to the said schip and gudis, that nocht onlie he sall discharge the samyn towardis thame sa clamyng, bot als upoun ony gude and just caus provit that thai have rycht thairto, sall cause the samyn schip and gudis to be unto thame deliverit, as the Lord Scropis writing direct thairupoun, subscrivit with his hand, of the dait, at Carlyisle, the xj day of August instant, beris. Thairfoir the Quenis Majestie hes dischargit, lyke as be the tennour heirof dischargis the said Johne Maxwell of Terriglis, Knycht, and the said Johne Maxwell of Nether Pollok, his sourtie, of the said schip, munitioun, and gudis, prices and avale of the samyn, and of the thingis that may be laid to the charge of thame, or ony of thame thairfoir, be vertew of the said act, in ony tyme heireftir.

Apud Drumfreis, xx° Augusti, anno 1563.

Sederunt. Dicti Domini.

In presence of the Quenis Majestie and Lordis of Secreit Counsale, Williame Maitland, youngar of Lethingtoun, Secretar, havand ressavit ane lettir frome Sir Johne Forrester, Wardane of the Myddill Marchis of Ingland foranent Scotland, requiring the appointing of the particular tyme and day of the meting of the commissioneris of baith the realmes, to be maid be the Quenis Majestie, and sindrie uther thingis specifiit in the said letter, red the samyn publictlie, in presence of the saidis Lordis. Quhilk being hard and considerit be thame, thai ordanit the said Secretar to direct his writting to the said Sir Johne, answerand to his bill in maner following: Eftir my hartle commendationis I have ressavit youre lettir of Carlislie the xix of this instant, and as I understand thairby that ye have ressavit commissioun and articlis to treate and aggre upoun sik debaitis as wer concludit at my lait being in the Court of Ingland, sa hes it plesit the

Quenis Majestie, my maisters, to grant the lik commissioun to Sir Johne Maxwell of Terriglis, Knycht, Sir James Douglas of Drumlangrik, Sir Johne Bellenden of Auchnownishill, and Sir Robert Carnegy of Kynnard, Knychtis, or ony thre or tua of thame; and albeit the commissioun be gevin to foure, thre, or tua of thame, yit for the considerationis specifiit in youre lettre, quhilk I rycht weill allow, ordoure salbe takin that the Justice Clerk and Sir Robert Carnegy, being personis without ony particular interest, and voyd of all passioun—or at leist ane of thame—salbe present, with the Maister Maxwell, at the treate, sua that be him thair sal be na occasioun of delay for ony respect, bot that perfyte ordoure may pass fordwart according to the mynd and plesour of the tua Princes, without debait or contentioun. As to the meting of the commissioneris, upoun Setterday cum xiiij dayis, the tyme is sa schort that Sir Robert Carnegy, quha duellis far of, and yit unadvertissit, can not be gudlie reddy; nocht the les I think that upoun Settirday cum xx dayis, quhilk salbe the xj of September nixt, thai salbe ready to meat at the accustumat place of meting, upoun the nerrest Marcheis, thair to june with yow, and frome thence ather to pass to Carlisle, or cum to this toun of Drumfreis, as sall fall out be lot, or utherwyise be aggrement betuix the tua Wardanis of the saidis Mercheis. And becaus I understand that the deputyis of Ingland, aire to be heir at the M^r^ Maxwell upoun Monunday nixt, I wald wis that thai had autorite to aggre with the Maister upoun the meting—for utherwyise it sall consume tyme, or advertisment may pass fra hand to hand anent the lait attemptatis, quhairof ye ar plantuous in youre lettir—commandment salbe gevin to the Wardanis to se the same addressit without delay; and that bill quhilk wes inclusit in youre writing, I have causit be deliverit to the kepar of Liddisdale, quha alsua hes ressavit commandment to ansuer the same conforme to justice, not dowtand bot ye will se the like done for youre part; accordinglie I have, like maner, causit commandment be send to the Wardanis of all the Mercheis of this realme to be present at the metingis of the said commissioneris, ather thameselfis or thair clerk, with ane Deputie sufficientlie instructit in all thingis that thai have to demand of Ingland, and to be reddy to mak ansuer for all that may be demandit of thame; as alsua to send to the Wardanis of the opposit Marcheis, betuix and Setterday cum xiiij dayis, the rollis of all attemptatis committit upoun the subjectis of Scotland and unredressit for, sen the treateis of peax, to, the effect thai may have viij dayis befoir the meting to avyise thairwith praying you to tak ordoure that commandment may be gevin to the Wardanis of that realme to do the like. I have send you heirin inclosit ane pacquet direct to Mr. Secretaire Cecill, quhilk I desyre you send him with sik expeditioun as ye may convenientlie. Thus fair ye weill. At Drumfreis, the xx day of August 1563.

Apud Edinburgh, quarto Septembris, anno, etc. lxiij°.

Sederunt. Jacobus Moravie Comes. Jacobus Comes de Mortoun. Alexander Comes de Glencarne. Joannes Dominus Erskin. Thesaurarius. Secretarius.

The quhilk day, in presence of the Lordis of Secreit Counsale, comperit Johne Gordoun of Lochinver, and become cautioun and souirtie for Johne Dunbar and Williame Dunbare that thai sall remane within the burgh of Edinburgh, and nocht to eschaip furth of the samyn, quhill the saidis Lordis tak ordoure with thame anent sik thingis that ar to lay to thair charge, under the pane of fyve hundreth markis for ather of thame.

The samyn day, forsamekle as anent the complaint gevin in befoir the saidis Lordis of Secreit Counsale foirsaidis be Robert Hume, sone naturale to Alexander Hume of the Heuch, makand mentioun that quhair his said umquhile father, lang befoir his deceis, gaif the said Robert heretable stait and saising of all and sindrie his landis of Heuch, tua mylnis of North Berwick, with the myllandis, multuris, and sukkin thairof, and certane croftis lyand in North Berwik, and als disponit and left to him and utheris, his barnis, all his gudis and geir, for upbringing of his saidis barnis, the maist part of thame being of less aige; and his said umquhile father deceissand upoun Sounday the xxij day of August last bipast, the said Robert, be himself and utheris, his said umquhile father, and his servandis in his name, hes bene in possessioun bayth of the saidis landis as his heretage, and of all gudis and geir being thairupoun, continualie sen his deceis foirsaid, in his name, quhill the xxviij day of the samyn that Patrik Hume youngar of Polwart, George Hume his bruther naturale, Dicksoun of Buthrig, Cuthbert Trottar in Hob Dicksoun, Alexander Hume in Polwart, Johne Belly thair, Sir Robert Bell thair, Andro Gardinar at the myln thair, with thair complices, with convocatioun of oure Soverane Ladeis liegis bodin in feir of weir, incontrair the Actis of Parliament, to the nowmer of fourtie personis or thairby, the said xxviij day of August last bipast, at vj houris eftir none, come to the said Robertis landis of Heuch and bernis thairof, and thair, maisterfullie and be plane force and way of deid, put out the said Robertis servandis furth of the bernis of his saidis landis, and ane greit part of thame ar sittin doun thairin, and intromittis and disponis upoun all his saidis cornis and gudis at thair plesoure, and thairthrow, without ony maner of ordoure, hes spulyeit the said Robert of his possessioun thairof, he being than, and be the space foirsaid, in possessioun thairof be ressone abonewrittin, and als of his saidis landis; tending be sik greit force to reif and withhald the samyn fra the said Robert, like as nowther prince, uther magistrate or justice war within this realme, in manifest contemptioun of oure Soverane Lady, and in evill example to utheris, to committ sik offences, gif this oppin wrang, being done and committit in the incuntre beside North Berwik, sa neir the Quenis Grace, be sufferrit to remane unpunist; and

anent the charge gevin to the said Patrik Hume, younger of Polwart, and Alexander Hume, his servand, to compere befoir oure Soverane Lady and Lordis of hir Secreit Counsale to answer to the said complaint, the said Patrik being personalie present, and the said Robert siclyke comperand personalie, the Lordis of Secreit Counsale decernis and ordanis the said Patrik and his complices to desist and ceise fra all forther occupying, laboring, manuring, or intromitting with the saidis landis in tyme cuming, and devoyd and red him, his servandis, and gudis furth of the samyn and mylnis foirsaidis; and the said Robert to be restorit agane to the possessioun of the samyn landis and mylnis, to be peceablie brukit, josit, occupiit, set, usit, and disponit be him at his plesoure, in tyme cuming, ay and quhill he be lauchfullie callit and ordourlie put thairfra, becaus the said Robert producit ane instrument of saising befoir the saidis Lordis, quhair he wes sufficientlie vestit and saisit in the saidis landis and mylnis befoir the deceis of his said umquhill father; reservand alwayis to the said Patrik, and Patrik Hume of Polwart, his father, actioun to call for thair rychtis and title, gif ony thai have, or may pretend, to the saidis landis, as thai may of the law. And siclike, decernis and ordanis Williame Hepburne of Craig, and Thomas Carrik, burgess in North Berwik, to win, and cause the cornis growand upoun the saidis landis this instant yeir be win, upoun the expenssis thairof, and taks thame in the said umquhile Alexanderis bernyard, and keip the samyn, with the remanent of the said umquhile Alexanderis gudis, upoun the grund of the saidis landis, unintromittit with be ather of the saidis parteis; or utherwyise sparpalit quhill it be decydit be the law to quhome the samyn aucht to pertene.

Apud Striviling, xiii° Septembris, anno, lxiij.

Sederunt. Jacobus Moravie Comes. Jacobus Comes de Mortoun. Joannes Dominus Erskin. Secretarius. Rotulator. Clericus Registri.

The quhilk day, forsamekle as anent oure Soverane Ladies lettres, purchest at the instance of the hale communitie, inhabitaris, and indwellaris of the toun and parochin of Dunfermling, makand mentioun that quhair in tymes bigane, past memour of man, the Abbottis of the Abbay of Dunfermling wer accustomat and in use, upoun thair expenssis, to uphald and big the wallis of the paroche kirk of Dunfermling, and als the ruif thairof in leid, theiking, beting, and mending of the samyn fra weit; and als the Sacristanis, beand Vicaris of the said paroche kirk, wer in use, in likwyise upoun thair expenssis, to mak and uphald the glassin windoes of the said kirk; and siclike, the said tounschip of Dunfermling wer in use of reparaling of the samyn within as efferit, on thair expenssis, like as thai ar content to do. And albeit now, at this present, the said kirk is at sik ane point that throw decaying thairof, and nocht uphalding of the samyn in the wallis, ruif, kippillis, and thak thairof, be the Abbot now present of the said Abbay, and Vicar of the said kirk, callit Williame Lummisden, Sacristane, upoun thair

expenssis, as use and wount wes, the wallis in sindrie partis ar revin, and the volt thairthrow partit, neir hand the ane side form the uther, and the glassin windois of the samyn decayit, and nane now being thairin; quhairthrow it is greit danger and perrell to the saidis compleneris of thair lyvis to enter, remane, or bide within the said kirk, owther in tyme of prayers, teching, or preching of the Word of God, or ony uther besines neidfull to be done thairin, without haistie remeid be providit in all thingis necessar, baith for the partis of the saidis Abbot, Sacristane, and the saidis indwellaris of the toun foirsaid. Nocht the less, the saidis Abbot and Sacristane will do nathing thairto, conforme to thair partis as use and wount wes, albeit thai be ansuerit of the teindis and frutis thairof, as is allegit. And anent the charge gevin to Maister Robert Pitcarne, commendatar of the said Abbay of Dunfermling, Alane Cowtis, and to the said Williame Lumisdene, Sacristane of Dunfermling, to compeir befoir our Soverane Lady and Lordis of hir Secreit Counsale, the said xiij day of September instant, to se ordoure takin anent the complaint foirsaid, as accordis, the saidis communitie, inhabitantis, and indwellaris foirsaidis, comperand be Johne Boswall, Baillie, and Williame Wilsoun, Thesaurar, for thame selfis and the remanent of the saidis communitie, inhabitaris, and indwellaris of the said toun; the said Alane Cowtis, Chalmerlane of the said Abbay, and the said Williame Lumisdene, Sacristane thairof, being personalie present, and the said Maister Robert being oftymes callit and nocht comperand.—The Lordis of Secreit Counsale decernis and ordanis the said Maister Robert, and Alane, Chalmerlane foirsaid, in his name, to uphald and big the wallis of the said parroche kirk, and als the ruif thairof, in leid and uther theking, beting, and mending of the samyn, and kippill werk abone the volt thairof, for saulftie of the samyn fra weit; and als the said Williame Lumisdene, Secristane foirsaid, and the said Maister Robert, to beit and uphald the glassin windois thairof, siclike as thai wer wount in all tymes bipast, upoun thair expenssis; and ordanis lettres to be direct heirupoun gif neid beis.

Eodem die, sederunt dicti Domini.

The quhilk day, the saidis Lordis of Secreit Counsale, understanding that the paroche kirkis of this realme, partlie be sleuch and negligence of the parochinaris, and partlie be oursycht of the Personis, dailie decayis and becumis ruynous, and part of thame ar alreddy fallin doun, the parochinaris na wyise causand the samyn be mendit, nor yit the Persone doand that appertenis to him for uphald thairof; quhairthrow the preching of the Word of God, ministratioun of the sacramentis, and reding of the commone prayers ceissis, and the people thairthrow becumis altogidder without knawlege and feir of God; thairfoir the saidis Lordis ordanis all paroche kirkis within this realme, quhilkis ar decayit and fallin downe, to be reparit and upbiggit, and quhair thai ar ruynous and faltie to be mendit; and e tir that thai be sufficientlie mendit in windowis, thak, and uther necessaris, to be intertenyt and uphaldin upoun the expenssis of the parochinaris and Persone, in maner following: That is to say, the tua part

of the expenssis thairof to be maid be the parochinaris, and thrid part be the Persone; and that the samyn may tak effect with expeditioun, ordanis lettres to be direct to officiaris of the Quenis, shereffis in that part, to pass and charge the parochinaris of the paroche kirk within this realme to elect and cheise certane of the maist honest qualifiit men within thair parochynnis, to taxt every ane of thame efferand to thair substance, for furnessing of the tua part of the expenssis to be maid in bigging and reparing of thair saidis paroche kirkis, and that the said taxtaris to be chosin mak the said taxatioun to the effect foirsaid, within the xij dayis nixt eftir thai be chargit thairto; and eftir the said taxatioun be maid, that the saidis parrochinaris mak payment of the sowmes that thai salbe taxt to the kirk maisteris or deaconis of the parochin, to be appointit be thame for ressaving thairof, to the reparatioun of the saidis paroche kirkis, siclike within xij dayis nixt eftir thai be chargit thairto, under the pane of rebellioun; and failyeing thairof, to put thame to the horne. And als that the saidis messengeris pass and sequestrat the frutis, teindis, and proffittis of the saidis parochynnis sa fer as may extend to the Personis part of the same, to remane in the parochinaris handis, quhill the said Persone depone, and put in the handis of the said kirk maister and deaconis, his part of the expenssis to be maid upoun bigging and reparing of the said kirk, extending to the thrid part thairof; and the saidis sowmes being put in the said kirk maister or deaconis handis, that thai incontinent thaireftir caus the saidis kirkis, ilkane within thair awin parochynnis, be reparit, biggit, and mendit sufficientlie, efferand to the sowmes that salbe consignit and put in thair handis to that effect, under the said pane of rebellioun; and failyeing thairof, to put thame to the horne.

Apud Striveling, xxij° Septembris, anno, etc. lxiij°.

The Quenis Majestie, understanding that the Clangregour, being hir Hienes rebellis, and at hir horne for divers horrible attemptatis committit be thame, hes nocht onlie massit thame selfis in greit cumpanyis, bot als hes drawin to thaim the maist part of the brokin men of the hale cuntre, quhilkis at thair plesour birnis and slayis the pouer liegis of this realme, revis and takis thair gudis, sornis and oppressis thame in sik sort that thai ar hable to lay waist the haill boundis quhair thai hant, and to bring the samyn to be inhabitable, without the haistier remeid be providit thairfoir. And knawing that the saidis malefactouris for the maist part hantis and reparis within the boundis following, and that the noble men underspecifiit, quha ar principallis of the boundis undernemmit, ar maist hable to expell the saidis evill doaris furth of thair boundis, or ellis, gif thai be fundin within the samyn, to apprehend and tak thame and bring thame to the Justice or his Deputis to be punist for thair demeritis. Thairfoir ordanis the said noble men to expell and hald the saidis brokin men furth of the boundis undernemmit in maner underspecifiit; that is to say, James, Erle of Murray, furth of the boundis of Bramar, Badyenoch, Loch-

quhabir, Bra of Murray, Strathnarne and Stratherne, within the boundis of the Sherefdome of Invernes; Archibald, Erle of Argyle, furth of the boundis of Argile, Lorne, Levinax, and Menteith; Johne, Erle of Athole, furth of the boundis of Athole, Strathardall, Glensche, and Dunkeld; George, Erle of Errole, furth of the boundis of Logyalmont; James, Lord Ogilvy, furth of the boundis of the Bra of Angus; Patrik, Lord Ruthven, furth of the boundis of Strathbarne; David, Lord Drummond, furth of the boundis of Stratherne; Colyne Campbell of Glenurquhy, furth of the boundis of Braidalbane and Buchquhidder; and Johne Grant of Freuchy, furth of the boundis of Strathspey, Strathawne, and Bra of Strabogy. And to that effect grantis and committis to the saidis noble men, and every ane of thame, within the boundis foirsaidis, full power, speciale mandiment, and charge to pass, serche, and seik the saidis rebellis, malefactouris, and oppressouris quhair evir thai may be apprehendit within the boundis abonespecifiit; and apprehend and tak thame and bring thame to the Justice or his Deputis, to be punist for thair demeritis; and to convocat and gadder oure Soverane Ladeis liegis in cumpanyis and armyis; and to persew, follow, and invaid the saidis trespassouris, with fire and suerd; and gif thai, or ony of thame, happynnis to entir in houssis or strenthis, to lay assaige thairto, and to raise fyre for recovering of the samyn gif neid be; and ordanis the gentilmen, induellaris within the boundis respective abonespecifiit, upoun the command gevin to thame be ony of the saidis noblemen, or utherwyise, be lettres, assemble thair folkis togidder, and meit the saidis noblemen, ilkane within the boundis foirsaidis, at sik place or places as salbe assignit to thame, and to remane with the saidis noblemen during the space thai salbe commandit; and als gevis power to the saidis noble men, gif neid requiris, to joyne thair cumpanyis togidder and pass fordwart in army or armyis for persewing of the saidis evill doaris. And gif ony of thame happynnis to be slane or mutilat in the persewing or taking, the Quenis Majestie will and grantis that the saidis noblemen, nor nane of hir Graces liegis being with thame, or ony of thame in cumpany, sall nocht be callit nor accusit thairfoir, nor incur ony skaith or danger thairthrow in thair persone, landis, or gudis in ony wyise in tyme cuming; and ordanis, gif neid beis, speciale commissionis to be gevin to the saidis noble men and every ane of thame, to the effect foirsaid, to be extendit in the maist ample forme, and the Clerkis of Chancellarie, to direct out commissionis under the testimoniall of the greit seill to every ane of the noble men abonespecifiit, to the effect foirsaid. And this present ordinance salbe sufficient warrand to thame to pass the saidis commissionis upoun; and siclike ordanis the Lordis of Counsale to direct out lettres to charge oure Soverane Ladeis liegis to ryise, concur, assist, and gang fordwart with the saidis noble men in maner foirsaid, for accomplissing of the premissis, apprehending or expelling of the saidis rebellis in maner abonespecifiit. And that the samyn may be the mair suirlie done, ordanis the saidis noble men and baronis to cause, in all the partis foirsaidis, the liegis thairof be gadderit

togidder upoun the xx day of October nixt to cum, but forther delay; and to remane togidder every man within his boundis limitat as is befoir specifiit, for the space of xx dayis next thaireftir, to the effect that the saidis rebellis be expellit or apprehendit in maner abonementionat, as thai will ansuer to the Quenis Majestie thairupoun; and under all hieast pane, charge, and offence that thai, and ilkane of thame, may committ and inrin aganis hir Majestie in that part.

Apud Edinburch, xiiij Decembris, anno, etc. lxiij°.

Sederunt. Jacobus Moravie Comes. Jacobus Comes de Mortoun. Willelmus Marescalli Comes. Johannes Dominus Erskin. Patricius Dominus Ruthven. Thesaurarius. Secretarius. Clericus Registri. Clericus Justiciarie.

Anent the petitioun and clame gevin in befoir the Quenis Majestie and Lordis of hir Secreit Counsale be Dene Adam Forman, sumtyme priour of the Charterhouse beside Perth, aganis Johne Wischart of Pittaro, Knicht, Comptrollar to our Soverane Lady, makand mentioun that howbeit hir Hienes had commandit oft and sindrie tymes hir said Comptrollar to ansuer the said Dene Adame of the frutes of the said place, the thrid thairof first tane up to hir Graces behalf, with ane pensioun to Adame Stewart; and last off all, be deliverance and avyse of the saidis Lordis of Counsale, berand in effect that the said Comptrollar suld tak sik ordoure with the said Dene Adame, that hir Hienes suld heir na forther complaint. Nocht the les hir Graces command and ordinance forsaid is on na wyise obeyit, nocht only to the said Dene Adamis greit hurt, bot als of the puir, agit, and seik men, brether of the said place, and ar drevin to sik extreme povertie and indigence throw lak of the obedience to the saidis commandis and ordinances, quhilkis the said Priour knewand, schew wes to be, albeit the Quenis Grace wald nocht beleif, quhill the deid selff presentlie previs; that howbeit sum credit thai had afoir this, amangis godly and peceable persones, quha of reuthfull compassioun wes helplie unto thame, lippynnand as reasone cravis for recompence and payment, quhilk can nocht be maid salang as this inobedience is unremedit; with this thair credite is fastlie tryit, and albeit the said Comptrollar allege that it is nocht gottin fra the tenentis, his indiscretioun, gif it durst be sayd, is to be blamit thairof,—quha nocht only in ane part to hurt the said Priour, in ane uther part alsweill to hurt utheris is to satisfie his indiscrete appetite, throw sik cullour,—fylis the Quenis Grace simplicity, and oppressis hir Hienes puir liegis. For he and his factouris not only refuse to tak the vittallis in dew tyme, and quhen thai wer in place and mycht and wald haif bene payit, and wer offerit to pay, bot als burdingis thame with exorbitant prices, as at mair lenth is contenit in the said supplicatioun. And anent the charge gevin to Johne Wischart of Pittarro, Knycht, Comptrollar, to compeir befoir the Quenis Grace and Lordis of Secreit Counsale to answer to the said complaint, eftir that in presence of the saidis Lordis the said Priour

affermit the contentis of the said complaint to be of veritie, and wald abyde thairat; the said Priour being personalie present, and the said Comptrollar and Alexander Quhitelaw, his Chalmerlane of the said Priorie of the Charterhous, being siclyk personalie present; quhilk Alexander replyand to the said supplicatioun, allegit that betuix Yule and Candilmes last bipast he requyrit the tenentis and parochinaris of Arrole to mak payment to him, in the Quenis Grace name, of the aitis quhilkis thai wer oblist to pay to the said place of the Charterhous, quhairin the said Priour allegit the said Comptrollar to be indiscreit. And eftir that, divers tymes requirit thame to do the samyn, and gat na part thairof, quhill eftir Witsounday that he gat ane chalder of aittis fra the baillie of Arrole, and ane uther chalder fra the Lady of Inchemertyne, and thairfoire wes compellit to by aittis to the Quenis horssis for xl ß. the boll; and for that caus desirit the saidis parochinaris to mak him payment of thair saidis aittis as he payit thairfoir. The Lordis of Secreit Counsale continewis the said mater in the samyn forme, force, and effect as it is now, but prejudice of pairtie, to the xxix day of December instant, with continewatioun of dayes; and ordanis the said Priour to have lettres to summond sik witnes, and to produce sik writtis, writtingis, and documentis he will use for preving of the pointis of his clame; and the said Alexander to haif lettres to summond sik witnes, and to produce sik wrytingis and documentis as he will use for preving of his reply foirsaid the said day; and the said pairteis warnit heirof apud acta.

Sederunt apud Edinburgh, xiiij° Decembris, anno, etc. lxiij°.

Jacobus Dux de Chatellarault, etc. Archibaldus Ergadie Comes. Jacobus Moravie Comes. Jacobus Comes de Mortoun, Cancellarius. Willelmus Marescalli Comes. Alexander Comes de Glencarn. Joannes Dominus Erskin. Patricius Dominus Ruthven. Willelmus Maitland de Lethingtoun, junior, Secretarius. Ricardus Maitland de Lethingtoun. Magister Robertus Richartsoun, Thesaurarius.

The Quenis Majestie and Lordis of Secrete Counsale assignis to James M^c^Conell of Donyvaig, and Hector M^c^Clane of Dowart, the first day of Aprile nixt to cum, to compeir befoir hir Grace and Lordis foirsaidis, quhair it sal happin hir Hienes to be for the tyme, and to produce sik probatioun, writtis, and documentis as athir of thame will use, for preving of the richt, titill, interes, and clame of rycht quhilk thai pretend to haif to hir Graces landis of the Ryndis of Ilay, to the intent hir Grace and Lordis foirsaidis may tak ordour thairin, as accordis; with certificatioun to the persone that compeirs not, hir Majestie will proceid thairin according to the titillis and probatioun producit, and to be producit, be the partie comperand.

Apud Edinburgh, xxviij° Decembris, anno Domini j^{m}v^{c}lxiij.

Sederunt. Jacobus Dux de Chatellarault, etc. Archibaldus Ergadie Comes. Jacobus Comes Moravie. Alexander Comes de Glencarne. Jacobus Comes de Mortoun, Cancellarius. Willelmus Marescalli Comes. Patricius Dominus Ruthven. Joannes Wischart de Pittarro, Miles, Rotulator. Willelmus Maitland, junior de Lethingtoun, Secretarius; et Magister Jacobus M^{c}Gill de Nethir Rankelour, Clericus Registri.

The Quenis Majestie, with avise of the Lordis of hir Secrete Counsell, undirstanding that upoun the complaint gevin in befoir hir Hienes be George Hume of Aytoun, aganis the Provest and Baillies of Edinburgh, for putting of him in ward within the Tolbuith thairof, at the instance of James Curle, burges of the samyn; the saidis Provest and Baillies being warnit, and comperand befoir the saidis Lordis, producit ane decreit gevin be thame aganis him, decerning him to pay to the said James the sowme of ane hundreth pundis. And becaus of thair inordinat proceding in the said mater, the saidis Lordis gaif command to thame to superseid the executioun of the said decreit upoun the said George or his souirties, quhill forther ordoure wer takin be thame thairin; nochtwithstanding the quhilk, and in contrair the saidis Lordis command, the saidis Provest and Baillies tendis to put the said decreit to executioun wranguslie. Thairfoir the Quenis Grace, with avise of the Lordis foirsaidis, ordinis ane maser to pas and charge the saidis Provest and Baillies to desist and ceis fra all putting of the said decreit in executioun upoun the said George or his souirties, quhill forthir ordoure be takin be hir Hienes with avise of the saidis Lordis thairintill, as thai will answer to hir Grace thairupon; and that without prejudice of the decreit gevin be the Lordis of Counsale thairupoun, and executioun of the samyn, conforme to the ordoure of the realme.

The Quenis Majeste, with avise of the saidis Lordis, undirstanding that the caussis quhilkis the prelattis of this realme had decidit in the consistoriis of befoir, be lang delay of justice, ar frustrat, and thai compellit to leif the soit of thair saidis caussis; thairfore, and that the saidis caussis may haif the maist summar proces and schortar end, hir Hienes, with avise of hir said Counsale, hes thocht gude that jurisdictionis be erectit in sindrie partis of this realme for discussing of the saidis caussis, and that Commissaris be appointit to gif attendence thairon. And becaus presentlie the saidis Lordis can not gudlie await upoun the devising of the hale ordour of the saidis jurisdictionis, thai haif ordinit Henrie Bischop of Ross, Richart Maitland of Lethingtoun Knycht, William Maitland his sone Secretar, the Clerkis of Register, Justiciare, and Advocat to sit doun and avise upoun the said ordour, that thaireftir the samin may be put in articlis, and the samin articlis, with the commissionis to be grantit be the said Commissaris, to be subscrivit be the Quenis Grace for corroboration thairof.

Sederunt. Penultimo Decembris, anno Domini j^{m}v^{c}lxiij^{o}, apud Edinburgh.

Jacobus Dux de Chattellarault. Archibaldus Argadie Comes. Jacobus Comes de Murray. Jacobus Comes de Mortoun. Alexander Comes de Glencarne. Willelmus Marescalli Comes. Joannes Dominus Erskin. Patricius Dominus Ruthven. Thesaurarius. Secretarius. Clericus Registri. Clericus Justiciarie.

Anent the actioun and caus persewit be Dene Adame Forman, sumtyme Priour of the Charterhous beside the burgh of Perth, aganis Johne Wischart of Pittarro Knycht, Comptrollar, and Alexander Quhitelaw, Chalmerlan, be vertew of the said Priouris supplicatioun; makand mentioun that howbeit the Quenis Majestie had commandit oft and sindry tymes the said comptrollar to answer the said Dene Adame of the frutes of the said place [statement in Minute of 14th December repeated [1]] as at mair lenth is contenit in the said supplicatioun; quhilk being admittit to his probatioun, and for proving thairof, at the day affixit to him thairto, produceit oure Soverane Ladeis lettres, deulie execute and indorsat, berand that certane witnes wer summond to that effect; quhilkis being oftymes callit and not comperand, the said comptrollar and Alexander Quhitelaw, his Chalmerlane, being personalie present, and the said Priour siclike being personalie presente, the Quenis Majeste, with avise of the Lordis foirsaidis, continewis the said matter in the samin forme, force, and effect as it is now, but prejudice of party, unto the xviij day of Januar next to cum, with continuatioun of dais; and ordinis the said Priour to haif lettres to summond the witnes quhilkis wer summond of befoir, and compert not, under pane of rebellioun, and putting of thame to the horne, and ma gif neid beis; and to produce sik uther writingis and documentis as he will use for preving of his intent; the said day, baith the saidis partiis warnit apud acta.

Anent the terme assignit to Johne Wischart of Pittarro, Knycht, comptrollar to oure Soverane Lady, and Alexander Quhitelaw his Chalmerlane, to preif the reply allegit be thame aganis the supplicatioun gevin in be Dene Adame Forman, sumtyme Priour of the Charterhous, aganis the said Comptrollar, berand that betuix Yule and Candilmes, in the yeir of God j^{m}v^{c}lxiij yeris, the said Alexander requirit the tennentis and parochinaris of Arrole to mak payment to him, in our Soverane Ladeis name, of the aitis quhilkis thai wer oblist to pay to the said prelate of the Charterhous, quhairin the said Priour allegit the said comptrollar to be indiscreet; and eftir that divers tymes he requirit thame to do the samin and gat na part thairof, quhill eftir Witsunday that he gat ane chalder of aitis fra the Baillie of Arrole, and ane uther chalder fra the Lady of Inchemartine, and thairfore wes compellit to by aittis to the Quenis Grace horsis for xl ß. the

[1] Above, p. 250.

boll, and for that caus desirit the saidis parochinaris to mak him payment for thair saidis aitis as he payit thairfore, as at mair lenth is contenit in the said reply; the said Comptrollar and Alexander, for preving thairof, produceit lettres, execute and indorsat, berand that diverse personis wer summond to compeir befoir the Quenis Majeste and Lordis foirsaidis, to beir witnessing in the said mater, and als producit uther lettres, execute and indorsat, berand that upoun the thrid day of Januar last bipast, William Mersheale, messinger, chargit the parochinaris and tennentis of Arrole to mak payment of thair frutis and teindis, etc., as the samin beris; and thairfore, ane new terme to summond the personis quhilkis wer summond of befoir and comperit not. The said Comptrollar and the said Alexander being personalie present, and the said Dene Adam siclike being personalie present, the Quenis Majeste, with avise of the Lordis foirsaidis, continewis the said mater in the samin forme, force, and effect as it is now but prejudice of party, to the xviij day of Januar nixt to cum, and ordinis the said Comptrollar and the said Alexander to haif witnes, to summond the personis quhilkis wer summond of befoir to preif the said reply and comperit not, to compeir the said day to beir witnessing in the said mater, under the pane of rebellioun and putting of thame to horne, becaus thai wer summond of befoir and comperit not; and baith the saidis partiis warnit heirof apud acta.

Apud Edinburch, primo Januarii, anno, etc. lxiij°.

Sederunt. Jacobus Moravie Comes. Jacobus Comes de Mortoun. Alexander Comes de Glencarne. Patricius Dominus Ruthven. Willelmus Maitland de Lethingtoun, junior, Secretarius. Magister Robertus Richartsoun, Prior Insule Sancte Marie, Thesaurarius. Magister Jacobus M°Gill, Nethir Rankelour, Clericus Registri. Johannes Bellenden de Auchnoule, Miles, Clericus Justiciarie.

Anent the Quenis Majesteis lettres past undir hir signet and subscriptioun manuale purchest be James Hammiltoun of Sanct Johnis Chapell, makand mentioun that quhair uther lettres undir the Quenis Grace signet and subscriptioun wer direct chargeing the said James, to deliver to Walter Ker of Cesfurd Knycht Wardane of the Myddill Marchis of this realme, Johne Hendersoun callit the Fals, being fylit of ane bill of Williame Selbye, for the said Wardanis releif thairof at the handis of the Wardane of Ingland, undir the pane of rebellioun, and failyeing thairof, to put him to the horne; and becaus the said James failzeit thairin, he wes denuncit rebell, and put to the horne, be virtew of the saidis lettres. Howbeit in verite the said James did his utir and extreme diligence for apprehending of the said Johne, to be deliverit to the said Wardane, and culd na wise get him to that effect befoir the said James wes put to the horne, nor yit lay it in his power to do the samin, be ressone the said Johne fled and absentit himself; and laitlie, eftir grete panis and laubouris takin be him thairin, he hes

apprehendit the said Johne, and hes deliverit him to the said Wardane, quha for his releif deliverit him to the said Williame Selbye, as the said Wardanis writing schewin thairupoun beris; and thairfore the saidis lettres and proces of horne contenit thairin aucht and suld be suspendit upoun the said James, and he aucht to be relaxit fra the said proces of horne. And anent the charge gevin to the said Wardane to compeir befoir the Quenis Grace and Lordis of hir Secrete Counsale at ane certane day bipast, to produce the saidis lettres befoir thame, and to heir and se the samin suspendit simpliciter upoun the said James for the caus abonewrittin; the said James being personalie present, and the said Wardane being oftymes callit and not comperand, the Quenis Majeste, with avise of the Lordis foirsaidis, suspendis the saidis lettres direct aganis the said James in the said mater, effect thairof and proces of horne contenit thairin upoun him, ay and quhill the samyn lettres be produceit and he lauchfullie warnit to the productioun thairof, and ordinis lettres to be direct heirupoun gif neid beis.

Apud Edinburgh, octavo Januarii, anno, etc. lxiij°.

Sederunt. Jacobus Moravie Comes. Jacobus Comes de Mortoun. Joannes Atholie Comes. Joannes Dominus Erskin. Patricius Dominus Ruthven. Willelmus Maitland de Lethingtoun, junior, Secretarius. Magister Robertus Richardsoun, Prior Insule Sancte Marie, Thesaurarius. Magister Jacobus Makgill de Nether Rankelour, Clericus Registri. Joannes Ballenden de Auchnoule, Miles, Clericus Justiciarie. Joannes Wischart de Pittarro, Miles, Rotulator.

The Quenis Majestie, understanding that the Clangregour, being hir Hienes rebellis, and at hir horne for divers horrible attemptatis committit be thame, hes not onlie massit thame selffis in greit cumpanyis, bot als hes drawin to thame the maist part of the hale brokin men of the cuntrie, quhilkis at thair plesour birnis and slayis the pouer liegis of this realme, revis and takis thair gudis, sornis and oppressis thame in sik sort that thai ar hable to lay waist the haill boundis quhair thai hant, and to mak the samyn to be inhabitable, the maist part of the caus quhairof is that in all partis quhair thai repair and hant, thai ar resset be the inhabitaris and induellaris thairof, and furnissit with vittallis and uther necessaris, and in sik wyise fosterit and nurissit as gif thai wer the Quenis Majesteis trew and faithfull subjectis, and nevir had committit cryme or offence in ony tyme bigane; quhairthrow hir Hienes autorite be the saidis ressettaris and furnisseris is sa contempnit that in ane maner it sall gif occasioun to hir trew liegis, quhilkis nevir myndit to mak ony brek, to becum manifest contempnaris, sornaris, thevis, oppressouris, and rebellis, thinking thairby to leif idillie and wicketlie, and be furnist upoun uther trew mennis gudis. For remeid quhairof, and stopping of the saidis rebellis to be forther furnissit be the Quenis Grace liegis in ony tyme cuming, the Quenis

Hienes gevis, grantis, and committis hir full, fre, and plane power to hir lovit, Coline Campbell of Glenurquhy, to pass, serche, and seik all maner of personis, duelland in quhatsumevir partis or places of this realme, quhilkis in ony tyme heireftir sal happin to resset ony of the saidis rebellis of the surname of Clangregour, or thair complices, or to furneiss thame oppinlie, quietlie, or be quhatsumevir uther cullour, meit, drink, claithis, armour, or uther necessaris; and to apprehend and tak thame and send thame to the Justice or his deputis to underly the law thairfoir; and immediatlie eftir the apprehending and taking of thame, to arreist and seas all and sindrie cornis, cattell, and utheris gudis quhatsumevir of the persone takin for the caus foirsaid upoun the ground of the landis quhair he duellis, and mak ane inventare thairof justlie, and offer the samyn to the said persone, or ony utheris in his name that will ressave the samyn, findand cautioun that the samyn salbe furthcumand to the said Coline, in the Quenis Grace name, as law will; and gif thai refuis to find the said cautioun, that the said Coline intromett thairwith, to be usit in maner underspecifiit: that is to say, gif the persone or personis takin and presentit to the Justice, as said is, beis clengit and fundin innocent of the cryme of resset and furnissing foirsaid, his gudis arreistit and inventar maid thairof as said is, sall incontinent eftir his clenging be deliverit to him, his wyfe, and barnis, or utheris in his name, siclike and in the samyn estait thai wer the tyme of the arreisting and making of inventar thairof; and gif he be convict thairof, the said Coline to dispone thairupoun for furnessing and supporting of him to the furnessing of men of weir to resist, invaid, and persew the saidis rebellis, for bringing of thame to the law, or uther wyise bringing of thame to obedience; and this commissioun to indure during the Quenis Majesteis gude will and plesour, and ordanis lettres to be direct for publissing heirof in forme as efferis, sua that nane of hir liegis pretend ignorance heirin.

Apud Edinburgh, decimo Januarii, anno, etc. lxiij°.

Sederunt. Jacobus Moravie Comes. Jacobus Comes de Mortoun. Joannes Dominus Erskin. Patricius Dominus Ruthven. Willelmus Maitland de Lethingtoun, junior, Secretarius. Magister Robertus Richardsoun, Prior Insule Sancte Marie, Thesaurarius. Magister Jacobus Makgill de Nether Rankelour, Clericus Registri. Joannes Ballenden de Auchnowle, Miles, Clericus Justiciarie. Joannes Wischart de Pittarro, Miles, Rotulator.

In presence of the Quenis Majestie and Lordis of hir Secreit Counsale comperit Johne Erle of Athole, and maid this offer underspecifiit: that is to say. Forsamekle as Colin Campbell of Glenurquhy hes impetrat ane commissioun of the Quenis Majestie for sercheing, seiking, and apprehending of certane of the Clangregour, and complices to thame, hir Graces rebellis, and at hir horne, and for inbringing of thame and ressettaris of the saidis rebellis to the Justice to be punist for thair contemptioun and inobedience, as the said commissioun beris; nochtwithstanding the quhilk,

the said Erle, in presence of the counsale foirsaid, oblist him to ansuer for all sik personis duelland within his boundis, rowmes, and possessionis, quhilkis he sall gif in writ to the said Lard of Glenurquhy, for ony attemptatis committit or to be committit be thame, conforme to the ordinance maid be the Quenis Grace and Secreit Counsale thairupoun; the Quenis Majestie, with avyse of the saidis Lordis, hes thocht ressonable that ane exemptioun be grantit to the said Erle, exemand all and sindrie men, tennentis, fewaris, servandis, vassallis, and occupiaris of quhatsumevir landis and rowmes pertening to him, or of quhome he hes dominioun and cure of, and of quhame and quhat landis he sall accept the burding, be his said writing, to be gevin to the said Lard of Glenurquhy,—that thai and ilk ane of thame, thair boundis, landis, and possessionis sal be fre of the said commissioun, or ony part thairof, grantit to the said Lard of Glenurquhy; and the effect of the samyn sall na wyise strek upoun thame selfis, thair bodeis, landis, or gudis in ony wyise: dischargeing alwayis the said Lard of Glenurquhy, and all uther officiaris or liegeis quhatsumevir, to attempt or presume ony thing contrair the said Erlis landis, rowmes, tennentis, and occupyaris thairof quhilkis he sall gif in bill as said is, thair gudis or geir, in ony wyise, be vertew of the said commissioun, suspendand the effect thairof, and of thair offices in that part be the said exemptioun.

Forsamekle as eftir divers slauchteris and utheris haynous and horrible crymes committit be Gregor M^cGregour alias Lard M^cGregor, Ewine M^cGregor his bruther, Duncan M^cGregor in Rora, Duncane M^cAnedoy M^cGregor, Duncan Oyg M^cGregor, Patrik M^cAne M^cHollonglass M^cColme, Duncan and Patrik M^cAne M^cHollonglass his brether, Malcolme Cham M^cCandoquhy, Ewine M^cGillehelich, Duncane M^cGillehelich his bruther, Williame M^cColchollum, Malcolme and George M^cColchollum his sonnis,—and thair complices, to grete nowmer of personis; thai being callit to underly the law thairfore, and to find cautioun to that effect in contempt of the Quenis Majeste, hir autorite, all ordour and justice, past to the horne, quhairat thai remanit thir twa yeris bigane, with the mair. And sen thair denunceing thairto thai haif drawin to thame ane grete cumpany of brokkin men, joynit and massit thame togidder, quhilkis sensyne hes not onlie committit diverse slauchteris, reiffis, heirschippis, sornyingis, and oppressionis, bot als, publictlie and opinlie, hes raisit fire, brint, waistit, and distroyit sindrie barne yardis, cornis being thairin, in grete nowmer, houssis and biggingis, layand thairthrow waist ane grete part of the cuntre, and makand the samin inhabitable to the grete hurt of the commounwelth thairof, and civile polecie of the same; quhairin thai ceis not to continew and to irritat the Quenis Majeste in sik sort, that hir Grace can nocht leif the samyn unpunist. And albeit hir Hienes, thinking to quyet the samin be hir commissionis, appointit and gaif power to diverse of hir nobilite and subjectis to persew the samin rebellis for bringing of thame to the Justice, to be punist for thair demeritis, and thairthrow bringing of the cuntre to quyetnes; yit nathing to this tyme hes bene done thairto,

nor yit ceiss not the induellaris of the boundis quhair thai resort and reparis to furniss thame in all necessaris, and mak thame thairthrow habill continewalie to rebell, quhairthrow hir Majeste, of hir dewite, is compellit to turne hir face and force in thai partis, and to appoint Justice Courtis for punissing of sik as be thair fostering, furnessing, and mantening, gevis thame occasioun continewalie to rebell: Thairfore, and to the effect that hir liegis may be inexcusable of sik furnessing and mantenance of hir rebellis, hir Grace ordinis lettres to be direct to hir messingeris, shereffis in that part, chargeing thame to pas to the mercate croces of hir burrois of Perth and utheris places neidfull; and thair, be oppin proclamatioun, in hir Hienes name and autorite, command and charge all and sindrie, hir liegis, that nane of thame tak upoun hand to ressave, resset, mantene, nuriss, foster, provide, or furniss the saidis rebillis or thair complices, in hous, meit, drink, clething, armour, wappynneis, counsale, or uther wayis; bot that thai and ilk ane of thame ryse, gang fordwart, and persew the saidis rebellis and thair complices, with all rigour, for apprehending and taking of thame, and bringing of thame to the Justice or his Deputis, to be punist for thair demeritis; with certificatioun to thame and thai failye thairin, that thai salbe callit upoun thair generale bandis as brekkaris thairof, and repute and haldin as part takaris and favouris of the saidis rebellis, and punist with all rigour at the saidis particular Justice Courtis, or utherwayis, as the Quenis Majeste sall think expedient, in exempill of utheris to eschew siclike in tyme cuming.

Apud Edinburgh, xij° Januarii, anno, etc. lxiij°.

Sederunt. Jacobus Moravie Comes. Jacobus Comes de Mortoun. Joannes Dominus Erskin. Patricius Dominus Ruthven. Willelmus Maitland de Lethingtoun, junior, Secretarius. Magister Robertus Richardsoun, Thesaurarius. Magister Jacobus Makgill de Nether Rankelour, Clericus Registri. Joannes Ballenden de Auchnoule, Miles, Clericus Justiciarie.

The quhilk day, anent the complaint gevin in to the Quenis Majestie and Lordis of hir Secreit Counsale be George Hume of Aytoun aganis the Provest and Baillies of the burgh of Edinburgh, for the inordinat pronunceing of ane decreit aganis him at the instance of James Curle, burges of the said burgh, allegit gevin conforme to ane decreit obtenit be him aganis the said George, befoir certane of the Lordis of Sessioun, to quhome the samyn be thair ordinance wes referrit, decernyng him to pay to the said James the soum of ane hundreth pundis for the teindschaves of the landis of Aytoun, of the crop and yeir of God j^{m}v^{c}lvij yeris, and wrangus incarcerating of the said George; quhilk being divers tymes callit, and the saidis Provest and Baillies warnit to compeir to ansuer thairto, and the maist part of the saidis Baillies, viz., Maister Robert Glen, Maister Johne

Spens, and David Symmer, being present; the said decreit, of the dait the ix day of November, the yeir of God j^{m}v^{c}lxiij yeris, gevin be thame, being producit befoir the saidis Lordis, and the said George Hume siclike being personalie present; The Quenis Majestie, with avyise of the Lordis foirsaidis, having consideratioun that the saidis Provest and Baillies, eftir the geving of ony decreit be the saidis Lordis of Sessioun, aucht na wyise to tak the jugement thaireftir of the samyn or executioun thairof to thame, and that thairthrow the said decreit is null, and gevin be thame as having na jurisdictioun to do the samyn, decernis and ordanis the said decreit gevin be the saidis Provest and Baillies to be deleit furth of thair bukis, and thame to do the samyn with all expeditioun, sua that na memorie sall remane thairof in ony tyme heireftir, and the executioun of the samyn to ceis; and gif ony executioun be ellis maid thairof, the poindis takin thairfoir to be restorit to the said George and his souirties, als gude as thai wer the tyme of the taking and poinding thairof.

Apud Edinburgh, ultimo Januarii, anno, etc. lxiij°.

Sederunt. Jacobus Comes de Mortoun. Patricius Dominus Ruthven. Secretarius. Rotulator. Thesaurarius. Clericus Justiciarie.

The quhilk day, Williame Cranstoun of that Ilk, Knycht, comperit in presence of the saidis Lordis, and become actit cautioun and souirtie for Johne Gledstanis of Coklaw, that he, at the nixt day of trew to be haldin be Walter Ker of Cesfurd Knycht Wardane of the Myddill Marchis, or his deputis, sall enter befoir thame George Ellot in Eddertounschelis, Will Ellot of the Burnmouthis, Alexander Ellot, Thome Crosare, Johne Crosare,—quhilkis wer fylit befoir the said Wardane of Williame Selbyis bill, Inglisman, or at the leist ane of thame, for the Quenis Majestie and the said Wardanis releif of the said bill, at the handis of the Wardane of Ingland,—under the pane of fyve hundreth merkis. And the said Lard of Coklaw actit and oblist him to releif the said Williame Cranstoun of that Ilk thairof.

Apud Edinburch, xix° Februarii, anno, etc. lxiij°.

Sederunt. Jacobus Comes de Mortoun, Cancellarius. Willelmus Marescalli Comes. Patricius Dominus Ruthven. Secretarius. Rotulator. Thesaurarius. Clericus Registri. Clericus Justiciarie.

The Quenis Majeste, undirstanding that Williame Forbes of Tochquhone become cautioner and souirte, actit in the bukis of Secrete Counsale, for Alexander Gordoun, eldest sone and apperand air to George Gordoun of Lesmoir, suld entir in ward within the burch of Edinburgh, and remane thairintill during the Quenis Graces will, undir the pane of twa thousand markis; and sensyne the said Alexander is be hir Hienes fred of his said warding, and licence grantit to him to pas quhair he pleissis, thairfore the Quenis Grace hes ordinit the said act maid in the saidis bukis of befoir,

of the dait at Abredene the xxvj day of October, the yeir of God j^{m}v^{c}lxij yeris, to be deleit furth of the saidis bukis, quhilk at command of hir Hienes be thir presentis is deletit, and the said William relevit of the panis contenit in the said first act, and of all skaith that he may incur thairthrow.

Apud Edinburch, xxiij° Februarii, anno, etc. lxiij°.

Sederunt. Dicti Domini.

The Quenis Majeste, undirstanding that at hir speciale directioun and command, Henrie Bischop of Ross, Maister James M^{c}Gill of Nethir Rankelour Clerk of Registri, and Richart Maitland of Lethingtoun Knycht, callit befoir thame William Scot of Tuschelaw, and Walter Scot his sone, on that ane part; and Robert Ellot in Horslehill bruther germane of umquhile Andro, alias Dand Ellot, thair, on that uther part,—for the allegit wrang done be the saidis William and Walter in taking furth of the landis of Bailyelie of of scheip pertening to the said umquhile Andro; and the said mater being befoir thame, hard, ressonit, and undirstand, thai, be thair ordinance, ordinit the saidis gudis to be restorit agane to the hirdis of the saidis landis of Bailyelie, to remane in thair handis quhill it wes knawin to quhame the samyn suld pertene, as thair ordinance maid thairupoun beris. And becaus the samyn wes not obeyit be the saidis Williame and Walter, the said Robert obtenit lettres of the Quenis Majeste, and thairwith causit charge thame to compeir befoir Hir Grace and Lordis of hir Secrete Counsale, at ane certane day bipast, to heir thame be decernit to observe and keip the said ordinance in all pointis for thair partis, or than to schew ane ressonable caus quhy, with certificatioun to thame and thai failyeit, lettres suld be direct simpliciter upoun thame in the said mater to the effect foirsaid. Baith the saidis partiis being personalie present, the Quenis Majeste ordinis lettres to be direct in all the four formes, and ilk forme to be execute eftir uther, within thre dais, and the warding to be in the Castell of Blaknes, in caise of dissobeysance, chargeing the saidis Williame and Walter to restoir the saidis gudis to the hirdis of the saidis landis of Bailyelie, to remane in thair handis quhill it be knawin to quham the samin suld pertene, conforme to the said first ordinance; becaus be the samin ordinance thai wer ordinit of befoir to do the samin, and failyeit thairin. And als ordinis the said Robert to find sufficient cautioun and souirte, actit in the bukis of Secrete Counsale, that the saidis gudis sall remane upoun the ground of the saidis landis saiflie and suirlie unintromittit with or away takin be ony maner of personis, thevis, or utheris, or utherwayis disponit, except be traik of deid, alanerlie to be furthcumand to all partiis havand interes thairin, as law will.

Apud Edinburch, primo Martij, anno, etc. lxiij.

Sederunt. Archibaldus Ergadie Comes. Jacobus Moravie Comes. Jacobus Comes de Mortoun, Cancellarius. Willelmus Marescalli Comes. Patricius Dominus Ruthven. Secretarius. Rotulator. Thesaurarius. Clericus Registri. Clericus Justiciarie.

In presence of the Lordis of Secrete Counsale comperit Gilbert, Erle of Cassillis, on that ane part; and Matho Campbell of Lowdoun, Knycht, Sheref of Air, on that uther part; quhilkis of befoir referrit all caussis, quarrellis, contraversiis, and debaittis, quhilkis ather of thame their kin freindis servandis assistaris and part takaris had to propone aganis utheris, in ony tyme bigane. And the said Matho band and oblist him to observe keip, and fulfill the band of manrent, maid and gevin be umquhile Hew Campbell of Lowdoun Knycht, Sheref of Air his fader, for him and ane air to umquhile Gilbert, Erle of Cassillis fader to the said Erle, and his airis, and all pointis passis and articulis contenit thairin, and to do to the said Erle and his airis siclike service as be the said band he is oblist to do; and siclike, the said Erle band and oblist him and his airis to mantene and defend the said Matho, and to fulfill, observe, and keip the band of mantenance, gevin be his said umquhile fader to the said umquhile, and ane air eftir him, and all pointis and articulis contenit thairin. And als, baith the saidis partiis, for thame selffis, thair kin, freindis, servandis, assistaris, and parttakaris, remittit and remittis to utheris all rancour, haitrent, malice, or querrell quhilkis thai or ony of thame had, hes, or ony wise may haif or consaif aganis utheris, for ony quarrell or criminal debait that ony of thame hes to propone aganis utheris in ony tyme bigane sen the last troublis happynit amangis thame; and oblissis thame to stand in amite, freindschip, tendirnes, and kindnes with utheris in all tyme cuming; and in signe and takin thairof, the said Erle and the said Matho, with sa mony of thair saidis freindis as wer present, embrased utheris in presence of the saidis Lordis. And forther, baith the saidis partiis oblist thame, that eftir thir hamecuming in the cuntre, thai sall assemble thair freindis, servandis, and part takaris in the burch of Air, with all diligence, and thair caus thair saidis freindis, servandis, and part takaris ressave utheris in hartlynes, tendirnes, and freindschip, and to remove the ranconr consavit be ony of thame aganis utheris in ony tymes bigane, swa that all haitrent amangis thame salbe buryit and put out of memorie in tymes cuming; quhairunto the saidis Lordis of Secrete Counsale interponit thair autorite.

In presence of the saidis Lordis of Secrete Counsale comperit Matho Campbell of Lowdoun, Knycht, Sheref of Air, for him self, and takand the burding upoun him for his kin, freindis, servandis, assistaris, and parttakaris, on that ane part; and George Craufurd of Lefnoreis for himself, and takand the burding upoun him for his kin, freindis, servandis, assistaris, and part

takaris, on that uther part; quhilkis of befoir remittit all caussis, querrellis, contraversiis, and debaittis quhilkis ony of thame had to propone aganis utheris, in ony tyme bigane, to be decidit be the saidis Lordis. And the said George, for himself, and takand the burding upoun him for William Craufurd, his sone, band and oblist him to grant all and hale the landis and mylnis quhilkis the said George, or his predecessouris, hes in wadset of the said Matho or his predecessouris, liand in the lordschip of Trabeauch and Terrynyeane, within the sherefdome of Air,—and for redemptioun quhairof the said Matho warnit him befoir the feist of Martymes last bipast,—to ressave the sowmes of money and lettres of tak contenit in the lettres of reversioun maid thairupoun, to be lauchfullie redemit and quitout fra him and his said sone, be payment of the sowmes of money and lettres of tak contenit in the saidis reversionis; and to that effect, upoun the xxix day of Marche instant, sall compeir in the burch of Edinburgh, and thair ressave the saidis soumes and lettres of tak contenit in the saidis reversionis fra the said Matho, to the effect foirsaid. And gif the said Matho comperis the said day in the said burgh, and in the paroche kirk thairof, offeris the saidis soumes and lettres of tak to the said George, that he than sall ressave the samin; and gif he refuissis, or uther wayis absentis him and comperis not to the ressait thairof, in that caise it salbe lesum to the said Matho to consigne the saidis soumes and lettres of tak in the handis of Maister James M^{c}Gill of Nethir Rankelour, Clerk of Registri, or Sir John Bellenden of Auchnonle, Knycht, Justice Clerk, to the utilite and proffit of the said George and his sone foirsaid, quhilk deliverance or consignatioun, in cais foirsaid, being maid in maner abone rehersit, the said George, for him and his said sone, sall grant the saidis landis and myln to be lauchfullie redemit fra thame, and be the tennour heirof grantis the saidis landis and myln to be lauchfullie redemit and quitout fra thame be the said Matho, and oblissis him to warrand the said redemptioun; and now as than, and than as now, resignis, renunceis, and ourgevis to the said Matho, his airis and assignars, the saidis landis and myln, with the pertinentis, togidder with all charteris, preceptis, instrumentis of sasing, and utheris evidentis maid and deliverit thairupoun, and grantis the samin redemptioun als valabill as gif ane decrete of the Lordis of Counsale wer gevin, decernyng the samin to be lauchfullie redemit; and grantis that lettres be direct be deliverance of the Lordis of Sessioun, chargeing thame to resigne, renunce, and ourgif the saidis landis and myln, with the pertinentis, in maner abonespecifiit, siclike as mycht or culd have bene direct upoun the saidis Lordis decrete. And gif it happinnis that the said Matho comperis not the saidis day and place, and payis and deliveris not the saidis soumes and lettres of tak to the said George, as said is; or gif the said George comperis not to the ressait thairof as is abonewrittin, or in his absence, or refuis, consignis not the samin in maner foirsaid; in that caise the said warning maid be him warnand the said George to the ressait of the saidis soumes and lettres of tak in ony tymes bigane salbe of nane avale; and grantis that he sall haif na actioun nor interes to redeme the

saidis landis and myln be virtew of the said warnyng, nor to call nor persew thairfore quhill new warnyng be maid agane to that effect. Attoure, baith the saidis partiis, for thame, thair kin, freindis, servandis, assistaris, and part takaris, hes renunceit, and be the tennour heirof renunceis, all rancour, haitrent, or malice quhilkis thai or ony of thame hes conceyvit aganis utheris, for ony actioun or quarrell criminale in ony tymes bigane, sen the last troublis happynnit amangis thame, and oblissis thame to stand in amite, freindschip, tendirnes, familiarite, and kindnes with utheris, in all tymes cuming, and to do ilkane of thame for utheris as thai and thair predecessouris did in all tymes bigane; and in signe and takin thairof, thai and samony of thair freindis being present, embrasit utheris in presence of the saidis Lordis. And forther, promittit and promittis faithfullie, that howsone thai sall cum hame in thair aune cuntre, thai sall convene thair hale freindis, servandis, and part takaris in the burch of Air with all diligence, and that thai and ilkane of thame remit utheris the said rancour and malice, and to stand in freindschip, tendirnes, familiarite, and kindnes with utheris, siclike as evir thai did in ony tyme bigane with all gude hart and will, as freindis dois to utheris. Quhairto the saidis Lordis interponit thair autorite.

The Lordis of Secrete Counsale, understanding that in the commoning and dress of aggreance maid betuix Matho Campbell of Lowdoun, Knycht, Sheref of Air, for himself, and takand the burding upoun him for his kin, freindis, and servandis, on that ane part; and George Craufurd of Lefnoreis, for himself, his kin, freindis, and servandis, on that uther part; it wes specialie convenit that gif ony questioun happynnit to fall betuix the saidis partiis in redemption of the landis quhilkis the said George and his predecessouris hes in wadset of the said Matho or his predecessouris, liand in the lordschip of Trabeauch and Terynyene, within the sherefdome of Air, that the samin suld be referrit to James Erle of Murray, William Erle Marscheale, and James Erle of Mortoun, to that effect that thai may decide thairin; and the saidis partiis oblissis thame to abide and underly thair decrete and deliverance thairin. Thairfoir the saidis Lordis ordinis Johne Johnestoun to insert thir puntis in the saidis bukis to that effect, that gif ony vareance happinnis to fall, or questioun to arise upoun the said redemptioun, that the saidis Erlis may decide thairin conforme to the said commoning, and lettres to be direct heirupoun for compelling of baith the saidis partiis to abide heirat, and at the deliverance of the saidis Erlis in the said mater gif neid beis. JOANNES JOHNESTOUN.

Apud Edinburch, secundo Marcii, anno, etc. lxiij°.

In presence of the Lordis of Secrete Counsale comperit Johne Wallace of Cragy for himself, and takand the burding upoun him for his kin, freindis,

servandis, assistaris, and part takaris, on that ane part; and Sir William Hammiltoun of Sanchar, Knycht, for himself, and takand the burding upoun him for himself, his kin, freindis, servandis, assistaris, and part takaris, on that uther part; and referrit all actionis, caussis, quarrellis, contraversyiis, and debaitis that thai or ony of thame had, hes, or ony wyise may allege aganis utheris,—for quhatsumevir actioun or caus bigane befoir the dait heirof,—to James Erle of Murray, James Erle of Mortoun, Chancellar, Gilbert Erle of Cassillis, Johne Bellenden of Auchnoule, Knycht, Justice Clerk, William Maitland, youngar of Lethingtoun, Secretar, Matho Campbell of Lowdoun, Knycht, Sheref of Air; to be decidit be thame; and promittit faithfullie to compeir quhair the Quenis Majeste sal happin to be for the tyme, and thair gif in thair petitionis and clamis to the saidis Lordis, to the intent that thai may proceid and gif furth thair decrete thairin, quhilk decrete and ordinance thai and ather of thame takand the burding upoun thame, as said is, sall abide, undirly, and fulfill, but ony appellatioun, reclamatioun, or agane calling quhatsumevir.

The said day comperit Maister Johne Prestoun, burges of Edinburch, and gaif in this obligatioun undirwrittin, subscrivit with his hand, and desirit the samin to be insert in the bukis of Secrete Counsale, and decernit to haif the strenth of ane act or decrete of the Lordis thairof, with lettres and executorials, to pas thairupoun in forme as efferis; like as Williame Ellot of Horsliehill, and Robert Ellot thair, his bruther, desirit the samin to be insert in the saidis bukis to the effect abone rehersit, of quhilk the tennour followis:—We, Williame Ellot of Horsliehill, and William Ellot, thair, my bruther, and Maister Johne Prestoun, burges of Edinburch, cautioun for us; forsamekill as I, the said Robert, am be act of Secrete Counsale ordinit to find sufficient cautioun and souirte that ane sufficient nowmer of scheip, takin be Williame Scot of Tuschelaw and Walter Scott, his sone, furth of the landis of Bailyelie, pertenyng to umquhile Andro, alias Dand, Ellot, sall remane upoun the grund of the saidis landis of Bailyeile saiflie and suirlie, unintromettit or awaytakin be ony maner of personis, thevis, or uther wayis disponit, except be traik of deid alanerlie, to be furthcumand to all party or partiis havand interes thairto as law will, as at mair lenth is contenit in the said act. Heirfore we band and obliss us, conjunctlie and severalie, that the saidis scheip sall remane upoun the grund of the saidis landis of Bailyelie, saiflie and suirlie, unintromettit with or awaytakin be ony maner of personis, thevis, or utheris, or uther wayis disponit, except be traik of deid alanerlie, to be furthcumand, to all party or partiis havand interes thairto as law will, conform to the said ordinance. And we, the saidis Williame and Robert, obliss us to releif the said Maister Johne of the premissis at all handis, havand interes thairto, as said is, and are content that this oure oblissing be actit and registrat in the bukis of Secreit Counsale, and decernit to have the strenth of ane act and decreit of the Lordis thairof, with lettres and executoriallis to pass thairupoun, as

effeiris. Subscrivit with oure handis at Edinburgh the xxvj day of Februar the yeir of God j^{m}v^{c}lxiij yeris, befoir thir witnes: Adame Wauchop, servitor to my Lord Clerk of Registre, Robert Watsoun and James Barroun, burgessis of Edinburgh, William Bowsy, Edward Barry, and Maister Alexander Mortoun, burgessis of Craill, with utheris divers. Quhilk desire the saidis Lordis thocht ressonable, and thairfoir hes ordanit and ordanis the said obligatioun to be registrat in the saidis bukis, to have the strenth of ane act and decreit in tyme to cum; and hes interponit and interponis thair autorite to the samyn, and decernis and ordanis lettres to be direct, as is abonewrittin, efter the forme and tennour of the samyn.

The samyn day, in presence of the saidis Lordis, comperit thir parteis underwrittin, and gaif in this band underspecifiit, subscrivit with thair handis, and desirit the samyn to be registrat in the bukis of Secreit Counsale, and act to be maid thairupoun, with lettres and executoriallis to pass upoun the samyn in forme as efferis. The quhilk desire the saidis Lordis thocht ressonable, and thairfoir hes ordanit, and decernis and ordanis the said band and assurance to be registrat in the saidis bukis, to have the strenth of thair act, and hes interponit, and interponis thair autorite thairto, and ordanis lettres and executoriallis to be direct thairupoun eftir the forme and tennour of the samyn, of the quhilk the tennour followis:—At Edinburgh, the fyft day of Marche, the yeir of God j^{m}v^{c} and lxiij yeris, Thomas Kennedy, sone and apperand aire to Thomas Kennedy of Bargany, takand the burding upoun him for the said Thomas, his father, be ressone of his absence and seiknes, for himself and the remanent, thair kin, freindis, servandis, assistaris, and partakaris, on that ane part; and Adame Boyd of Penkill, for himself, his barnis, kin, freindis, servandis, assistaris, and partakaris, on that uther part; be the tennour heirof assuris ather of thame utheris to be unhurt, unharmit, troublit, or persewit in thair personis, landis, stedingis, takkis, rowmes, possessionis, or gudis unto the tent day of May nixt to cum, sua that ather of the saidis partiis may repair to thair awin houssis, landis, possessionis, gudis, or ony uther place quhair thai think expedient, lefullie to the said day; and heirto bayth the saidis parteis bindis and oblissis thame to utheris, under the panes of perjure, inhabilitie, and defamatioun for evir. And farther, the said Thomas Kennedy, youngar of Bargany, grantis him presentlie warnit, and sall warne his said father, and stand gude for his warnying on that ane part; and the said Adame in that uther part grantis him likewyise presentlie warnit to compeir befoir the Quenis Majestie and Lordis of hir Secreit Counsale, quhair it sal happin hir Hienes and thame to be for the tyme, upoun the xxiiij day of Aprile nixt to cum, with continuatioun of dayis; and thair ather of the saidis parteis ar content that this thair present assurance and obligatioun be actit and registrat in the bukis of Secreit Counsale, and act to be maid thairupoun, with lettres and executoriallis to pass upoun the samyn gif neid be, in forme as efferis; providing that the persute to be maid be ather of the saidis par-

teis aganis utheris, in thair actionis, be ordour of justice, prejuge nor mak na derogatioun to the effect and strenth of this present assurance, bot that thai may als lefullie follow and persew the samyn, unto the said tent day, be ordour of law, as gif the samyn assurance wer nocht maid. In witnes heirof bayth the saidis partiis hes subscrivit thir presentis with thair handis as followis, day, yeir, and place foirsaid, befoir witnessis, ane noble and mychtie lord, James Erle of Mortoun, Lord of Dalkeyth, Chancellar; Maister James Makgill of Rankelour Nether, Clerk of our Soveranis Registre; and Alexander Hay, notare, with utheris divers.

Apud Edinburgh, xxv Augusti, anno, etc. lxij° [1561].[1]

Forsamekle as the Quenis Majestie hes understand the grete inconventis that [may] [2] cum throwch the division presently standing in this realme for the differens in materis of religioun, that hir Majestie is maist desirous to see pacifiit be ane gude ordour to the honour of God and tranquillite of hir realme, and menys to tak the samyn be the avyse of hir Estatis sa sone as convenientlie may be; and that hir Majesteis godly resolutioun thairin may be greitlie hinderit in cais ony tumult or seditioun be rasit amangis the liegis, gif ony suddane alteratioun or novatioun be preissit or attemptit befoir that the ordour may be establissed. Thairfore, for eschewing of the saidis inconvenientis, hir Majestie ordanis lettres to be direct to charge all and sindrie, liegis, be oppin proclamatioun at the mercat croce of Edinburgh, and utheris places neidfull that they, and every ane of thame, contene thame selffis in quietnes, keip peax and civile societie amangis thame selffis; and in the meyntyme, quhill the States of hir realme may be assemblit, and that hir Majestie have takin a finall ordour be thair avise and publict consent,—quhilk hir Majestie hopis salbe to the contentment of the haill,—that nane of thame tak upoun hand, privatlie or oppinlie, to mak ony alteratioun or innovatioun of the state of religioun, or attempt ony thing aganis the forme quhilk hir Majestie, fand publict and universalie standing at hir Majesteis arrivall

[1] The reasons for believing that the date 1562 is an inaccuracy will be found, with other matters relating to this document, in the editor's introduction. This and the two documents following it, are at the end of a volume of the Register of the Council. There are several blank leaves between them, and the latest entry from the Register proper, of date 2d March 1563-4.

[2] Supplied from Laing's edition of Knox's History of the Reformation in Scotland, ii. 272.

in this hir realme, under the pane of deid: with certificatioun that gif ony subject of the realme sall cum in the contrair heirof, he salbe estemit and haldin a seditious persoun and raser of tumult; and the said payne sal be execute upoun him with all rigour, to the exemple of utheris. Attour, hir Majestie, be the avyse of the Lordis of hir Secrete Counsell, commandis and chargeis all hir liegis, that nane of thame tak upoun hand to molest or trouble ony of hir domestic servandis or personis quhatsumevir cumit furth of France, in hir Graces cumpany, at this tyme, in word, ded, or countenance, for ony caus quhatsumevir, other within hir palice or outwith, or mak ony [devisioun or?] invasioun upoun ony of thame, under quhatsumevir cullour or pretence, under the said pane of deid; albeit hir Majestie be sufficientlie persuadit that hir gude and loving subjectis wald do the samyn for the reverence thay beir to hir persoun and authorite, nochtwithstanding that na sic commandment war publist.

Apud Sanctandrois, xvij° Marcii, anno, etc. lxij°.

Forsamekle as oure Soverane Lady, remembering that sone eftir hir first arrivall and hamcuming in this realme,—understanding the gret inconvenientis that mycht follow of the divisioun standing in the samyn be difference in materis of religioun, and being desirous to se the samyn pacifyt be ane gude ordour, to the honour of God and tranquillitie of hir realme, mynding to tak the samyn be the avyse of hir estaites sasone as convenientlie thay mycht be assemblit,—directit hir Majesteis lettres, proclamationis, and chargeis throuchout the haill realme, straitlie commanding all hir liegis, that thai, and every ane of thame, suld contene thameselffis in quietnes and keip peax and civile societie amangis thame selffis; and in the meyntyme, quhill the Estatis of hir realme mycht be assemblit, and that ane finall ordour, be thair avise and publict consent mycht be takin in the saidis mater, that nane of the saidis liegis sall tak upoun hand, privatlie or oppinlie, to mak ony alteratioun or innovatioun of the estait of religioun, or attempt ony thing aganis the forme quhilk hir Majestie fand publiclie and universallie standing at hir arrivall within this realme, under the pain of deid: with certificatioun that gif ony suld cum in the contrair thairof, he suld be haldin ane seditious person and rasar of tumult. And albeit the samyn wes deulie proclamit, sua that nane can pretend ignorance thairof, nochttheless sum, forgettand thair dewitie, it is murmurit that thay have contravenit, and intendis purposlie to contravene the samyn, be innovating of the religioun and ministratioun of the sacramentis utherwise than the publict forme foirsaid, quhilk wes fund at our arrivall, as said is; and becaus sic contraventioun, gif it be permittit to proceid unpunist, may not onlie engendir maist heich contempt of our authoritie, bot als rais tumult and seditioun within the realme, to the greit hinder of hir Majesteis gude mynd and purpos, intendit for pacifeing of sic materis and taking ordour thairin, be avyse of our Estaitis, as is afoirsaid. Thairfoir the Quenis Majestie ordanis lettres to be direct to officiaris of

hir Hienes, chargeing thame to pas, and in hir Hienes name and autorite command and charge, all and sindrie hir liegis, of quhat estait, qualitie, or conditioun saevir thay be of, be oppin proclamatioun, at the mercat croces of all burrowis of this realme, and utheris places neidfull, that thay and every ane of thame, safer as in thame lyis, endevour thame selffis to observe and keip the said former proclamatioun in every poynt and condicioun; and that naue of thame presume to attempt to do ony thing that may tend to the violatioun and breking thairof be the meanys foirsaidis or ony utheris, privatlie or oppinlie, under the panis contenit in the samyn; certefeing thame that as hir Majestie maist luffinglie will embrace all hir subjectis obeyand hir commandmentis, sa can she nocht of hir honour and dewitie bot hait and punis the contempnaris and transgressouris thairof, specialie in this poynt quhair the mater concernis the keping of gude ordour, commoun peax, ... societie, quhairof thay may maist certanlie assure thaim selffis quhen thai sall feill the samyn and obtene the reward that is dew unto subjectis quhilkis makis ony defectioun from thair soveranis obedience.

Apud Halerudhous, penultimo Junij, anno, etc. lxiiij°.

The Quenis Majestie ordanis the kepar of hir Hienes signet to pas lettres of the dait heirof, according to the ordinance maid be hir Grace at Sanctandrois, the xvij day of Marche the yeir of God j^{m}v^{c}lxij yeris, tueching the materis of religioun and the keping of civile societie amangis hir subjectis in all poyntis and claussis thairof, na wyise eikand nor diminyssand the samyn in ony condicioun, kepand this present act for his warrand, as he will ansuer to hir Majestie thairupoun.

Apud Perth, decimo octavo die mensis Marcii, anno Domini millesimo quingentesimo sexagesimo tertio.

Sederunt. Jacobus Ergadie Comes. Jacobus Moravie Comes. Jacobus Atholie Comes. Georgeus Errolie Comes. Joannes Dominus Erskin. Patricius Dominus Ruthven. Willelmus Maitland de Lethingtoun, junior, Secretarius. Magister Robertus Richardsoun, Commendatarius de Sancte Marie Insula.

Commissioun for suppressing of the Clangregour.

The quhilk day, the Quenis Majestie, understanding how the Clangregour, being hir rebellis and at the horne for divers horribill crymes and offenssis committit be thame, hes put thame selffis in greit cumpaneis and drawin to thame the brokin men of divers cuntreis, quha at thair plesour, of a lang continewance, hes maist crewellie brynt, slane, and heriit the pour liegis of this realme, reft and takin thair gudis, as alswa opprest thame utherwyise; that divers landis thairby ar laid waist, to the greit and heich contempt of hir Majesteis authorite and hurt of this hir commoun weill. For remeid quhairof, hir Hienes hes gevin and grantit, and be the tennour heirof gevis, grantis, and committis hir full power, generall and speciall command, expres bidding, and charge to hir traist cousingis and counsalouris, Archibald, Erle of Ergyle Lord Campbell and Lorne, etc., and Johne, Erle of Atholl Lord of Balvany, etc., to convocat and assembill togidder all and sindry our Soverane Ladiis liegis dwelland within the boundis respective undirwrittin; that is to say, the said Erle of Ergyle, within the boundis of the sherefdomes of Ergyle, Tarbert, Dunbartane, Bute, the stewartrie, erledome, and haill cuntre of Menteith, the landis and cuntreis of Braidalbyne, Buchquhidder, and samekill of the sherefdome of Striviling as lyis be west Buchquhan; and the said Erle of Athole within the boundis of Badeynoch, Lochquhabir, Strathspey, Strathowin, Bray of Mar, Strathdone, Bray of Angus, and the haill sherefdome of Perth except Braidalbane, Buchquhidder, and Menteith; or ony part of the saidis cuntreis, sa oft and at quhatsumevir place or places as he sall think expedient, and to pas, serche, seik, persew, and apprehend the saidis rebellis and malefactouris, quhairevir thai can be apprehendit within the boundis abonewrittin, or farder, as occasioun sall occur, to be brocht to the Justice or his Deputis, to be punist for thair demeritis, and falyeing thairof, to persew thame untill thai be expellit and put furth of the saidis boundis. And in caise thai or ony of thame sal happin to pas to houssis and strenthis, and mak thame to keip the samyn, that the said Erle, with his cumpaneis, raise fyre, and use all kynd of hostilitie aganis the saidis rebellis for thair apprehending. And in caise ony of thame, or quhatsumevir uther personis beand in thair cumpany in thair taking, happynnis to be hurt, mutilat, or slane, oure Soverane Lady will and grantis that the samyn salbe reput na cryme nor offence to the said Erle, or ony of his cumpany, committaris thairof, nor sall nocht be callit or accusit thairfoir, criminalie nor civilie, be ony maner of way in tyme cuming; dischargeing the Justice and his Deputtis, and all utheris officiaris and ministeris of lawis, of all proceding aganis thame

thairfoir, and of thair offices in that part for evir; with power alswa to the said Erle to direct chargeis and commandmentis to the inhabitantis of the cuntreis abone writtin, or quhatsumevir part or place thairof, for convening with him or sic personis as he sal happin to depute, upoun sic warning and at quhatsumevir place he sall think expedient, to pas forwart and use the directioun that salbe thocht maist convenient for resistence or persute of the saidis rebellis; certifeing the personis swa to be warnit and chargeit be the said Erle, or thame havand his power, within the saidis boundis, and nocht passand furthwart to the frayis,—or quhen the saidis rebellis resortis in thair boundis and schawis nocht thair reddie service, and exact diligence in thai behalffis to the contentatioun of the said Erle or thame havand his power, as said is,—that thai salbe repute and haldin as plane partakaris and assistaris with the saidis rebellis in thair rebellioun, and salbe callit and persewit thairfoir at particular dyettis, and puneist for the samyn, conforme to the lawis and consuetude of this realme. And forder, gevis power to the said Erle to use and exerce all and quhatsumevir uther thingis he sall think expedient for furthsetting of hir Majesteis service and autorite in the said commissioun; and in all thai doingis hir Hienes promittis to hald hand to him as apertenis hir of hir princelie honour, without ony contradictioun or revocatioun, nochtwithstanding the generalitie heirof.

Continewatioun of the actionis of thame within the boundis of the said Commission.

The quhilk day, forsamekill as the Quenis Majestie, undirstanding how hir Hienes had gevin commissioun to hir traist cousingis and counsalouris, Archibald Erle of Ergyle Lord Campbell and Lorne, etc., and John Erle of Athole Lord of Balvany, to convocat and assembill togidder all and sindrie Hir Majesteis liegis within the boundis respective abonewrittin. That is to say, etc., or ony part of the saidis cuntreis, sa oft, and at quhatsumevir place or places they sall think expedient; and to pas, serche, seik, and persew the Clangregour, our Soverane Ladiis rebellis, and at the horne, to be brocht to the Justice or his Deputis, to be puneist for thair demeritis, and failyeing thairof, to persew untill thai be expellit and put furth of the saidis boundis, lyke as in the commissionis past thairupoun at mair lenth is expressit; quhilkis the saidis Erlis can nocht weill and convenientlie execut, without thair actionis, and the actionis of all sic personis dwelland within the boundis of thair present charge, as ar necessar for the present service dependand afoir the Lordis of Counsall and Sessioun, be continewit and delayit during the tyme thairof. Thairfoir the Quenis Majestie, be the avyise of the Lordis of hir Secreit Counsall, ordanis all actionis dependand befoir the saidis Lordis of Counsall and Sessioun pertening to the saidis Erlis of Ergyle and Athole, or to ony persoun or personis dwelland within the boundis abonespecifiit respective, quhom thai will testifie be thair writ to the said Lordis to be necessar for thair service, and to be actualie thairin, and worthy of the privilege of this act, to be continewit, supersedit, delayit, and na proces to be had thairin unto the xx day of Maii next to cum, dischargeing the saidis Lordis of all

proceding in ony of the saidis actionis in the menetyme, eftir the sycht of ather of the saidis Erlis writtingis, to be direct to thame, testifeand of the actioun and persoun in quhais favouris thai wryte.

Apud Perth, xxij Marcii, anno, etc. lxiij.

Sederunt. Archibaldus Ergadie Comes. Jacobus Comes de Murray. Jacobus Comes de Mortoun, Cancellarius. Georguis Errolie Comes. Joannes Atholie Comes. Joannes Dominus Erskin. Patricius Dominus Ruthven. Secretarius. Thesaurarius. Computorum Rotulator. Clericus Justiciarie.

Glenurquhyis Band.

The quhilk day, in presens of the Lordis of Secreit Counsall, comperit Colin Campbell of Glenurquhy, and band and oblist him, for himself, his kin, freindis, assistaris, and partakaris passand with him, or in his name and behalf, for pursuit of the Clangregor and utheris, the Quenis Majesteis rebellis, that thai nor nane of thame sould sorne or oppres our Soverane Ladiis liegis dwelland within the boundis of Stratherne, or ony utheris partis of this realme, be ony maner of sort, in bodiis or gudis, in tyme cuming. And in caise complaint beis maid heireftir to the Quenis Majestie and hir Counsall, upoun his saidis kin, freindis, assistaris, and partakaris, in that caise he sall entir the persoun or personis complenit upoun befoir the Justice or his Deputtis, at ane convenient day and place to be appointit thairto, to undirly the law for the crymes contenit in the complaint, and failyeing thairof, sall ansuer him self for the samyn crymes, sornyngis, oppressionis, and offencis to the Quenis Majestie upoun his lyff and heretage.

Glenurquhyis Band.

The quhilk day, anent the complaint presentit to the saidis Lordis of Secreit Counsall be the Lordis, Baronis, landit men, gentilmen, and inhabitantis of Stratherne, desyrand the commissioun gevin and grantit be our Soverane Lady to Colene Campbell of Glenurquhy, anent the sercheing and seking of the Quenis Majesteis rebellis of the surname of the Clangregour, and thair complices, and towart the arresting and inventure making of thair gudis, to be dischargit—at the leist safer as the samyn can or may be extendit towart the inhabitantis of Stratherne, as the said complaint mair fullelie proportis: The Lordis of Secreit Counsale, in respect of thai ressonis, quhilk wer exponit aganis the samyn be the said Colene, and for utheris wechty caussis and considerationis moving thame selffis, decernis the said commissioun to haif effect and strenth in tyme cuming, and na wyise to be dischargeit, unto the finall repressing of the rebellioun of the saidis rebellis. Nevirtheles, during the tyme of the persute of thame be the Erlis of Ergyle and Athole, quhome to the Quenis Majestie hes grantit commissioun to that effect, the said Colene sall use his said commissioun, bot onelie upoun thai personis in quhais houssis he actualie findis the saidis rebellis, or quhairfra thai ar instantlie for the tyme departit in the sycht of him, or of thame berand his power; and as

for the utheris personis, resettaris, supplearis, or intercommunaris with the saidis rebellis, delatit or suspectit, yea, althocht the deid be notour and certane to the said Colene, swa that ony space pas owir betuix the tyme of the resorting of the saidis rebellis in thai partis and the cuming of the said Coline, or thame havand his power to the same,—in that cais the said Coline sall temperat the extremitie of his said commissioun, notand onelie the personis resettaris, and sall use na forder executioun upoun thame unto the tyme he notifie the mater to the Quenis Majestie and Counsall, and ressave new and speciall directioun of thame in that behalf. And in caise complaint sall happin to be maid to oure Soverane Lady, or hir Counsale for ony allegit crymes, attemptattis, oppressionis, offencis committit be the said Colene or thame havand his power, or be his kin, freindis, assistaris, and partakaris, in executioun of the said commissioun, by and attour the boundis and effect thairof, the said Coline sall ansuer, and mak guid for the samyn to hir Hienis and the partie offendit unto, upoun his lyff and heretage.

Apud Perth, xix die mensis Apprilis, anno Domini millesimo quingentesimo sexagesimo quarto.

Sederunt. Jacobus Moravie Comes. Joannes Atholie Comes. Georgius Errolie Comes. Patricius Dominus Ruthven. Secretarius. Thesaurarius. Computorum Rotulator. Clericus Justiciarie.

Protestation Lesly.

The quhilk day, in presens of the Lordis of Secreit Counsall, comperit Williame Leslie sone to umquhile George Erle of Rothes, and exponit how he wes chargit be vertew of our Soverane Ladiis lettres, purchest be Alexander Dunbar of Cummok, Knycht, Sheref of Murray, to compeir befoir our Soverane Lady and Lordis of Secreit Counsall this day, as the xx day nixt eftir the charge, to se ordour takin anent the desyre of the complaint specifiit in the saidis lettres, and in sa far as the said Alexander Dunbar comperit nocht to follow the saidis lettres, thairfoir the said Williame Leslie protestit that he sould nocht be haldin to ansuer agane in the mater, and that all thing that sould happin to be procedit aganis him during his absence sould be haldin as null and of nane avale, force, nor effect, and thairupoun askit instrumentis and documentis.

Apud Perth, xx die mensis Apprilis, anno Domini, etc. lxiiij.

Sederunt. Jacobus Moravie Comes. Joannes Atholie Comes. Georgius Errolie Comes. Patricius Dominus Ruthven. Secretarius. Thesaurarius. Computorum Rotulator. Clericus Justiciarie.

James McConill.

The quhilk day, forsamekill as the Quenis Majestie and Lordis of Secreit Counsall, undirstanding how in the moneth of Julij last bipast or thairby, James McConell of Dunyveg and Glennis, on that ane part, and Hector

Makclane of Dowart on that uther part, being convenit befoir hir Majestie at Glasgow, for decisioun of the debait and controversie standand betuix thame, for the rycht and kyndes of the landis of the Rynnis in Ilay, the mater wes than continewit to Sanctandrois day thaireftir following, and bayth the partis commandit to compeir personalie at Edinburgh befoir the Quenis Majestie and hir Secreit Counsall the said day. At the quhilk day, nochtwithstanding that the said Hector M°Clane comperit nocht, bot Hector M°Clane. send excussis, yit comperit the said James, and producit divers witnessis, quhilkis wer ressavit and examinat, and thairfoir the mater wes continewit as of befoir unto the first day of Apprile instant, and the partiis commandit to compeir personalie; nevirtheles the said Hector hes na wyise comperit bot be his writtingis hes excusit him, allegeand himself unabill to travell be ressoun of his infirmitie. The Lordis of Secreit Counsall, in respect of the comperance of the said James M°Conill, defendar, quha producit divers witnessis, as said is, and wes reddie all utherwyise to mak cleir probatioun of his kyndnes to the saidis landis of the Rynnis of Ilay, decernis that the said Hector M°Clanis clame and persute of the saidis landis sall ceis unto the tyme that the said James be lauchfullie warnit agane, and his ressonabill expenssis to be modifiit be the saidis Lordis, payit unto him be the said Hector; and with this provisioun alswele that in cais it beis verifiit heireftir to the Quenis Majestie, and hir Counsall, that the said Hector M°Clanes excuissis ar nocht of trowth, bot fenyeit; in that caise this present protestatioun and declaratioun sall serve for a plane condempnatour gevin aganis him, annulland his rycht and kyndnes to the saidis landis of the Rynnis of Ilay, and he sall nevir be hard to move actioun, questioun, or pley thairfoir in tyme cuming.

Apud Perth, xxvj Apprilis, anno, etc. lxiiij°.

Sederunt. Jacobus Moravie Comes. Jacobus Comes de Mortoun, Cancellarius. Joannes Atholie Comes. Alexander Comes de Glencarne. Patricius Dominus Ruthven. Secretarius. Thesaurarius. Clericus Justiciarie. Computorum Rotulator.

The quhilk day, anent the supplicatioun gevin in befoir the Lordis of Secreit Counsall, be Andro Rollok of Duncrub, makand mentioun that quhair he hes sindry actionis dependand befoir the Sheref of Perth and his Deputis, befoir quhome and his clerkis the said Androis haill evidentis of Balbegy and utheris writtingis ar producit, liand in retentis; and he hes requirit the said Sheref, and Thomas Scot his Deput, for delivering to him of his saidis evidentis, without the quhilk and productioun thairof befoir the Lordis of Counsall at ane certane day assignit to him to that effect, his actioun dependand afoir thame is in point of tinsale; and althocht he hes awaytit thairupoun, yit can he on na wayis get the samyn, nor yit proces in the actioun persewit be him befoir the said Sheref and his Deputis, desyrand thame thairfoir to be compellit to deliver to him his saidis evidentis and writtingis, and that he may haif proces in his actionis dependand afoir Sheref Clerkship of Perth.

thame, as in the said supplicatioun at mair lenth is expressit. Comperit personalie Patrik Lord Ruthven, Sheref forsaid, and allegeit that nowthir could he deliver the saidis evidentis, nor yit proceid in the saidis actionis dependand, be ressoun of the contraversie and debait standing betuix the personis pretendand interes and titill to the office of Sherefclerkschip of the said Sherifdome. And instantlie comperit James Makbrok of Campsy, allegit heretabill Sherefclerk of the said Sherefdome, quha producit ane precept, undir the Prevy Seill, of the gift of the said office, maid to him be umquhile our Soverane Lord that last deceissit, declarand that he had substitute Johnne Muschet as Depute undir him in the said office, and takin his aith in the Sheref Court of the said Sherefdome haldin in the Tolbuyth of Perth, upoun the xj day of Apprile instant. And on the uther part, comperit James Drummond, and producit ane assignatioun maid be the said James M^{c}Brok, makand and constitutand Alexander Makbrok, his sone, his assignay, to the said office of Sherefclerkschip of the said Sherefdome, as in the assignatioun, in forme of instrument, undir the subscriptioun of Sir Robert Rollok, notar, of the dait the secund day of Maij, the yeir of God j^{m}v^{c}lx yeris, at mair lenth is contenit; and als ane instrument of the intimatioun of the said assignatioun to the said Patrik Lord Ruthven, Sheref foirsaid, and of the assedatioun undirwrittin, maid be the said Alexander Makbrok to the said James Drummond, of the said office, undir the subscriptioun of Allane Justice, notar, of the dait the xiiij day of Apprile instant; and siclike producit the said assedatioun, maid be the said Alexander Makbrok, assignay foirsaid, with consent of the said Sir Robert Rollok, his curatour, for his interesse, to the said James Drummond and his substitutes of the said office of Sherefclerkschip for the space of nyne yeris immediatlie following the feist of Michaelmes preceding the dait of the said assedatioun, quhilk is of the dait the xij and xiij dayis of Apprile instant respective; and allegeit that he had bene in possessioun of the samyn office be the space of thre yeris bipast, desyrand thairfoir in respect of his possessioun and titill producit that he may be continewit in the said office. And the said Sheref alswa allegit that the said James Makbrok nor nane of his deputtis had rycht to use the said office, bot that the use thairof sould pertene to him as Sheref, to place Clerkis of Court, quhome for it behuvit him to ansuer to oure Soverane Lady. The Lordis of Secreit Counsall undirstanding the rychttis, ressonis, and allegationis of the saidis partiis, ordanis thame to persew thair rychttis and interessis to the said office of Sherefclerkschip befoir the Lordis of Sessioun, as thai wilbe servit, and als the said Patrik Lord Ruthven, Sheref foirsaid, and his deputtis, to proceid and do justice in the saidis actionis persewit befoir thame be the said Andro Rollok of Duncrub, and all utheris our Soverane Ladiis liegis, and the said James Drummond to use and exerce the said office of Sherefclerkschip, in respect of his present possessioun thairof, ay and quhill he be lauchfullie callit and ordourlie put thairfra be the law; and that without prejudice of the party havand best rycht and obtenand the said office befoir the Lordis of Sessioun; and siclike ordanis the said James Makbrok to deliver to the

Muschet.

Drummond.

said James Drummond the Sherefcourt bukis, all evidentis and writtingis concerning the said office, to the effect that the samyn may be patent to the said Sheref, his deputtis, the partiis havand interesse, as efferis; providing that the said James Drummond fynd sufficient cautioun and souertie for delivery of the samyn agane to the said James Makbrok, in caise of the evictioun of the said office be him befoir the saidis Lordis of Sessioun.

Apud Perth, xxvij Apprilis, anno, etc. lxiiij.

Sederunt. Jacobus Moravie Comes. Jacobus Comes de Mortoun, Cancellarius. Alexander Comes de Glencarne. Patricius Dominus Ruthven. Secretarius. Thesaurarius. Clericus Justiciarie. Computorum Rotulator.

Cragy Wallace.

In presence of the Lordis of Secreit Counsall, comperit Johnne Wallace of Cragy on the ane part, and Sir William Hammiltoun of Sanchar, Knycht, on that uther part, and band and oblist thame hinc inde for thame selffis, and takand the burding on thame for thair kin, freindis, allia, men, tennentis, servandis, assistaris, and partakaris, and all that thai may let, to keip guid rewll and ordour in the cuntre; and nocht to invaid, molest, or persew ather of thame utheris, thair kin, freindis, allia, men, tennentis, servandis, assistaris, and partakaris, in ony wayis be way of deid, unto the first day of December nixtocum; bot sall follow and persew all actionis, clamis, querrellis, contraversiis, and debaittis, quhilkis other of the saidis partiis hes or may move or pretend aganis utheris, be ordour of law and justice. And in caise ather of the saidis partiis, thair kin, freindis, allya, men, tennentis, servandis, assistaris, and partakaris, or ony of thame, sal happin to be hurt, harmit, invadit, or persewit be utheris be way of deid, in that caise the partie makand the invasioun, persute, and molestatioun sall pay to our Soverane Lady as for the pane appointit and aggreit be thame in caise abonewrittin, the soum of fyve thousand markis money of this realme; for payment quhairof in caise of faill on the part of the said Johnne Wallace of Cragy, he hes fundin Allane Lord Cathcart, George Craufurd of Lefnoreis, Hew Wallace of Carnall, Johnne Muir of Rowallane, and David Blair of Adamtoun, as cautionaris and souerteis with himself, conjunctlie and severalie, and the said Johnne Wallace, to releif thame; and the said Sir Williame Hammiltoun hes fundin Sir James Hammiltoun of Craufurdjohnne, and Mathow Campbell of Lowdoun, Knychtis, cautionaris and souerteis with himself, conjunctlie and severalie, for payment of the soum abonewrittin, in caise of faill on the said Sir Williames part, and the said Sir Williame to releif thame; and bayth the saidis partiis sal compeir befoir the Quenis Majestie and Lordis of hir Secreit Counsall quhair it salhappin thame to be for the tyme, upoun the xi day of November nixttocum, to abyde and undirly sic commandment and directioun as than salbe gevin to thame as thai will ansuer to hir Hienes upoun thair uttirmost charge.

Apud Perth, xxviij die mensis Apprilis, anno Domini, etc. sexagesimo quarto.

Sederunt. Jacobus Moravie Comes. Joannes Atholie Comes. Patricius Dominus Ruthven. Secretarius. Thesaurarius. Clericus Justiciarie. Computorum Rotulator.

Barry. The quhilk day, anent the Quenis Majesteis charge direct to the Provest and Baillies of Dunde for arreisting of ane schip laitlie arryvit thair, suspect of piracie, and for apprehending of the personis, pirattis, being into hir; comperit in presence of the Lordis of Secreit Counsall, Maister James Halieburtoun, Provest of Dunde, and presentit James Barry, maister or capitane of the said schip, quha allegeit him to be undir the King of Denmarkis wageis, and that he had sufficient power of him to mak weir, invaid and persew the King of Swadenis subjectis, and all his adherentis and partakaris in the present weris standing betuix the saidis Kingis; and that he, be vertew of the power gevin to him be the said King of Denmark, had takin a pryse, being bot a small bark of xxx tunnis or thairby, subject to the Erle of Endem, quhairin wes onelie a few nowmer of fischeis, nettis, salt, and uther grayth ganand for fischeing; quhilk Erle of Endem, being confiderat and partakar with the King of Swadin in this present weir, wes enemy to the said King of Denmark, quhais subject and wageit man the said James Barrie presentlie avowis himself; and that he come nocht with his said schip and pryse purposlie within the Quenis Majesteis watteris, bot constranit thairto be storme of weddir, and that he had sauld na part of the gudis being in his said pryise sen his arryvall in this realme. And in sa fer as the said James arryvall with his said schip and pryse in this cuntre may ony wayis appeir to be hurtfull or prejudiciall to the peace standing betuix our Soverane Lady and the said Erle of Endem, the said James offerit him reddie to find sufficient cautioun and souertie, ansuerabill to the clame or sute of ony subject of the said Erle of Endem, or ony uther prince, for ony offence that may be imput to him. Quhilk offer the Lordis of Secreit Counsall thocht ressonabill; and thairfoir the said James and Robert Gardin, his skippar, as principallis, and James Scrymgeour, Baroun of Hendirstoun, David Lindesay, Alexander Scrymgeour, and Robert Cheild, burgessis of Dunde, as cautionaris and souerteis for thame, ar becum actit and oblist, conjunctlie and severalie, to releif and keip skaythles our Soverane Lady, hir realme and haill liegis, of all clame and sute that sal happin to be movit be the subjectis of the said Erle of Endem, or quhatsumevir uther prince or commoun welth, for the said schip and pryse, or for quhatsumevir uther attemptat or cryme that the said James hes committit sen his passing furth of this realme and serving in the said King of Denmarkis weris, or for ony attemptat or cryme that sal happin to be committit be him or his cumpany in ony tyme cuming. And the saidis James Barry and Robert Gardin obleist thame, conjunctlie and severalie, to releif the personis cautionaris abonewrittin of this present act and haill pointis thairof; in respect of the quhilk cautioun and souertie

fundin, the saidis Lordis ordanis all arrestmentis maid upoun the said James awin schip, or his pryse foirsaid, to be lowsit, and the samyn to be deliverit agane to him, be the personis quhatsumevir intromettouris thairwith, to quhome this present act and ordinance salbe a sufficient releif and warrand of thair intromissioun and delivery; providing that it sall nocht be lesum to ony of oure Soveranis Ladiis liegis to by, or ony wyise resset, the said pryse or ony gudis being into hir, and that lettres be direct heirupoun, gif neid beis, in forme as efferis.

Apud Perth, octavo die mensis Maii, anno, etc. lxiiij.

Sederunt. Jacobus Moravie Comes. Jacobus Comes de Mortoun, Cancellarius. Joannes Atholie Comes. Patricius Dominus Ruthven. Secretarius. Thesaurarius. Clericus Justiciarie. Computorum Rotulator.

Ballies of Kingorn.

The quhilk day, anent oure Soverane Ladiis lettres purchest be the Provest and Baillies of Kingorne, makand mentioun that quhair thai conducit ane redar for reding of the prayeris within thair kirk of Kingorne, and placeit him in ane convenient hous to dwell into, quhilk he peccabillie broukit be a large space, nevirtheles Johnne Multray of Sefeld, movit of hatrent and malice, in the moneth of last bipast, hes, be way of deid, ejectit thair said redar furth of the said hous violentlie, quhairthrow he is nocht abill to continew and use his vocatioun; and the Lard of Seyfeld, being diverse tymes chargeit and warnit to compeir befoir oure Soverane Lady and hir Counsall, to ansuer upoun the wrang and contempt committit be him in this behalf, contempnandlie dissobeyit, and wald nocht compeir, lyke as at mair lenth is contenit in the saidis lettres. And anent the charge gevin to the said Johnne Multray to compeir befoir oure Soverane Lady and hir Counsall this day, to ansuer to the complaint abonewrittin, the said Johnne Multray of Seyfeld, and , redar foirsaid, being bayth personalie present, thair rychttis, ressonis, and allegationis hard and consideritt be the saidis Lordis, and thai thairwith ryplie avysit; the Lordis of Secreit Counsall decernis and ordanis the said Johnne Multray of Seyfeld to restoir and entir agane the said to the possessioun of the said hous, out of the quhilk he wes ejected, as said is, to be peccabillie broukit and josit be him, ay and quhill he be lauchfullie callit and ordourlie put thairfra be the law, and that within thre dayis nixteftir the said Johnne Multray be chargeit thairto, undir the pane of rebellioun; and gif he failyeis thairin, the saidis thre dayis being bipast, to put him to the horne, and to eschet, etc., and that lettres be direct heirupoun, gif neid be, in forme as efferis.

Lard Seyfeld.

Apud Halieruidhous, ultimo die mensis Maii, anno, etc. lxiiij°.

Lord Hume.

The quhilk day, anent the supplicatioun gevin in be Alexander Lord Hume, Wardane of the Eist Marchis of this realme, makand mentioun that for the

Quenis Majesteis plesour, and quhill hir Hienes mycht haif experience of his service, he acceptit upoun him the office of wardanerie of the said Marche, and hes servit the samyn continewalie sen hir Majesteis arryvall in this realme, by the custum of uther wardanis frelie, quhilk he is nocht abill langer to do, the charge being sa difficill and cummirsum; desyring thairfoir the Quenis Majestie that it wald pleis hir Hienes to caus the fe and pensioun quhilk wes wount to be payit to him of auld, and quhairof the remanent wardanis gettis presentlie payment, to be payit to him in tyme cuming, as in the said supplicatioun at mair lenth is contenit. The Quenis Majestie is content that the said Lord Home, wardane foirsaid, have payment of his wardane fee, extending to ane hundrith pundis, and of his yeirlie pensioun, extending to four hundrith pundis, ay and quhill hir Majestie utherwyise reward him for his service, providing that howsone hir Hienes gevis him ane sufficient reward, he sall na langer crave sute or uptak the said yeirlie pensioun of four hundreth pundis, bot content himself with his fe yeirlie of ane hundreth pundis abonewrittin fra thyne furth.

Apud Palacium de Halieruidhous, ultimo die mensis Maii, anno Domini, j^{m}v^{c}lxiiij^{o}.

Presente, Suprema Domina nostra Regina. Sederunt. Jacobus Moravie Comes. Jacobus de Mortoun Comes. Joannes Dominus Erskin. Richardus Maitland de Lethingtoun. Secretarius. Clericus Justiciarie. Clericus Registri. Advocatus.

Chekker. The Quenis Majestie and Lordis of Secreit Counsall hes concludit, statute, and ordanit that the chekker sall begin this instant yeir, and yeirlie in tyme cuming, upoun the secund day of August, and fra thyne continewalie, to proceid but continewation unto the end of the haill comptis, alsweill of the Thesaurare, Comptrollar as of the utheris inferiour officiaris. And thairfoir ordanis hir Hienes Thesaurare and Comptrollar to direct hir preceptis to warne the Shereffis, Stewartis, Baillies, and Commissaris of burrowis, to cum and mak thair comptis in dew and convenient tyme, as thai will ansuer to hir Majestie thairupoun.

Apud Palacium Halieruidhous, tertio die mensis Junii, anno Domini j^{m}v^{c}lxiiij^{o}.

Schip of Brunt Iland. The quhilk day, Thomas Wigholme, burges of Edinburgh, and Andro Burne, indwellar of Leyth, ar becum actit and oblist, conjunctlie and severalie, that the schip presentlie liand in the havin of Brintiland, namit the Langbark, quhairof Johnne Grahame is maistir, being reddie to saill in Denmark, nor na personis that ar presentlie to depart into hir in thair voyage, and quhill thai be on land, sall committ ony offence or pyracie; and in cais the subjectis of ony Christian or commoun welth sal happin to complene upoun ony attemptit to be committit be the said schip, or thame that presentlie salis into hir at this tyme, owther in thair passing or returning hame agane,

and sa lang as the samyn schip remanis in the possessioun of the present awnaris, the saidis cautionaris sall be ansuerabill thairfoir as appertenis of the law. In respect of the quhilk cautioun and souertie fundin, the Quenis Majestie ordanis the arreistment maid upoun the said schip, be the Provest and Baillies of Sanctandrois, or utherwyise, to be lowsit swa that the said schip may depart at hir plesour. And Johnne Hutsoun, in Dumfermling, and Richart Strang, burges of Edinburgh, obleist thame to releve the saidis cautionaris of the premissis.

Apud Palacium de Halieruidhous, die mensis Julii, anno Domini j^{m}v^{c}lxiiij^{o}.

The Quenis Majestie, undirstanding that the plaig of the pestilence maist vehementlie regnis in Danskin, and be the traffique of the merchantis of this realme in thai partis, and the merchandis newlie cumit hame thairfra, the said plaig is apperand to cum in this realme, to the extreme hurt and detriment of the haill liegis of the same. Thairfoir hir Majestie ordanis lettres to be direct to the Provest and Baillies of all burrowis of this realme, and to officiaris of armes, chargeing thame to pas, and in hir Hienes name and autorite command and charge all and sindry personis laitlie cumit in, or that hereftir sal happin to cum fra the said partis of Danskin, to contene thame selffis and thair gudis within schipburd, or at leist to pas to sic quiet places thairwith by the way, fre burrowis and commoun portis, as nane of oure Soverane Ladiis liegis have traffique, cumpany, or melling with thame, and that nane of thame tak upoun hand to repair and cum within ony of hir Hienes burrowis, townis, or commoun passageis, ay and quhill oure Soverane Lady declair hir will in the contrair, undir the pane of deid; with certificatioun to thame and thai do in the contrair that the said pane salbe execut upoun thame with all rigour. Ordoure for Pest.

Apud Invernes, xi Augusti, anno j^{m}v^{c}lxiiij.

Forsamekill as the Quenis Majestie, undirstanding how the woddis and growand tymber within this realme ar swa decayit be the ithand and continewall cutting and selling thairof, as alswa be the peling of the bark of the standand treis, quhilkis thaireftir schortlie consumis and na commoditie cummis of the samyn, that apperandlie the haill polecie in that part is lyke to pereis, without sum substantious ordour and remedie be provydit. For avoyding quhairof, hir Majestie ordanis lettres to be direct to the Shereffis of Invernes, Narne, Elgin, Fores, Banff, and Abirdene, the Provestis and Baillies of all burrowis within the saidis sherefdomes, and to officiaris of hir Majesteis shereffis in that part, chargeing thame to pas to the mercat croces of the heid burrowis of the saidis schyris, and all utheris places neidfull, and thair, be oppin proclamatioun in hir Hienes name and autorite, command and charge all and sindry hir liegis dwelland within the saidis boundis, and utheris quhatsumevir, that nane of thame tak upoun hand to by or sell any maner of tymmer, greit or small, bot in oppin and Woddis in the North.

plane marcattis at the fre burrowis abonewrittin, or within the fredomis thairof, and that na persoun by or sell ony maner of bark, bot upoun the tre itself at the saidis plane marcattis, undir the pane of escheting of the tymmer or bark that sal happin to be apprehendit, utherwyise bocht or sauld in ony mannis possessioun, and of all thair remanent gudis and geir; and that the saidis Shereffis and thair Deputtis, the Provest and Baillies of the saidis burrowis, and als the Justices quhilkis hir Majestie hes severalie gevin commissioun unto, serche and tak inquisitioun towart the selling of the saidis tymmer and bark, and put this present act and ordinance to dew executioun in all pointis, uptakand the eschetis of the personis contravenaris of the samyn, and inbringand and makand compt thairof to hir Hienes at the chekker, as thai will ansuer to hir Majestie upoun the executioun of thair offices. Attour, the Quenis Majestie, for the better executioun heirof, hes ordanit twa Justice Courtis to be yeirlie haldin be hir Hienes Justices, constitut to that effect, and at the samyn courtis, particular dittay to be takin upoun the contravenaris heirof, and thai to be extremelie puneist thairfoir according to the effect heirof.

Apud Abirdene, penultimo die mensis Augusti, anno Domini j^{m}v^{c}lxiiij.

Forbes of Auchintowill.

The quhilk day, Johnne Calder of Asslowne and Alexander Forbes of Carncawly ar becum actit and obleist, conjunctlie and severalie, to entir and present Alexander Forbes of Auchintowill befoir the Quenis Majestie and Lordis of hir Secreit Counsall, quhair it salhappin thame to be for the tyme, upoun the xiii day of September nixtocum, undir the pane of ane thowsand pundis; and the said Alexander Forbes of Auchintowill is obleist to releif thame of the said cautioun undir the said pane.

Apud Edinburgh, xxiij Septembris, anno, etc. lxiiij°.

Sederunt. Jacobus Moravie Comes. Archibaldus Ergadie Comes. Joannes Atholie Comes. Jacobus Comes de Mortoun, Cancellarius. Alexander Comes de Glencarne. Joannes Dominus Erskin. Patricius Dominus Ruthven. Secretarius. Thesaurarius. Computorum Rotulator. Clericus Justiciarie. Clericus Registri. Advocatus.

Ordour for Danskin waires.

Forsamekill as it hes bene havelie lamentit to the Quenis Majestie be the marchandis of Edinburgh, laitlie cumit frome Danskin, how thair schippis hes lang tyme lyne on the Streme, and the maist part of thame becum lek, swa that the haill gudis ar apperand to pereis, to the wrak and herschip of the awnaris, and greit skayth and hinderance of the maisteris of the schippis, quhilkis sa lang hes wantit the use thairof, albeit sen thair arryvall nane of thair cumpany (thankis to God) ar inlakit; desyring thairfoir sum guid ordour to be takin anent the loissing of the saidis gudis. The Quenis Majestie, be the avyse of the Lordis of hir Secreit Counsall, having takin

inquisitioun of the trewth of the saidis marchantis and marinaris complaint, willing that thai sall incur na skayth sa far as possibillie may be, bot rather to schew thame all favour and clemency that schö can, nocht hurtfull to the commoun weill, hes devysit and thocht the ordour following maist meit and convenient to be observit. That is to say, becaus maist danger apperis to be amangis the lynt, that the samyn be loissit, and houssit in Sanct Colmis Inche, oppynnit, handillit, and cassin furth to the wynd every uther fair day, quhill the feist of Martimes nixtocum, be sic visitouris and clengearis as sal be appointit and deput thairto be the Provest, Baillies, and Counsall of the burgh of Edinburgh, upoun the expenssis of the marchantis, awnaris of the saidis gudis. And as concerning the uther gudis, pik, tar, irne, tymmer, that the samyn be clengeit be owirflowing of the sey, at ane or twa tydis, the barrellis of asse to be singit with haddir set on fyre, and that the schippis be borit and the sey wattir to haif interes into thame, to the owirloft, and all the partis within to be weschin and clengeit; and siclike that the marinaris and utheris that sall losse and handill the gudis abonewrittin, be clengeit and kepit apart be thameselffis for ane tyme, at the discretioun of the saidis visitouris, and licence to be requirit had and obtenit of the saidis Provest, Baillies, and Counsall, befoir thai presume to resort opinlie or quietlie amangis oure Soverane Ladiis fre liegis. And towart David Witteis schip, quhilk be suir report of sic as be send to visite hir is knawin to be lek, and in sic danger that schö is nocht abill to cum upoun the wattir, that the haill lynt being into hir be loissit in ane boit, and send to the said Inche, and uther gudis to be tryit and clengit, conforme to the ordour abonespecifiit; and as for schippis and gudis laitlie cum furth of Quenisbrig, becaus thair apperis na danger amangis thame, for besydis thair testificatioun brocht frome that toun, the saidis Provest, Baillies, and Counsall hes takin ordour with thame thir xv dayis bigane; and swa it is the Quenis Majesties will and mynd that every man, awnar of the saidis gudis, intromet with his awin to be disponit be him at his plesour. Attour, quhair as hir Hienes is certanelie informit, that certane foull schippis unclengit and without licence, requirit upoun the xxii day of September instant, and utheris dayis afoir, ar cum in within the havin of Leyth; that the Provest and Baillies of the said burgh of Edinburgh pas, serche, seik, tak, apprehend, the maisteris, skipparis, and inbringaris of thai schippis and put thame in suir firmance and captivitie, and hald and detene thame thairin, ay and quhill the Quenis Majestie have takin ordour and gif commandment to execut justice upoun thame as upoun the transgressouris of hir Hienes proclamationis maid of befoir, and manifest contempnaris of hir autorite. Thairfoir hir Hienes ordanis lettres to be direct to officiaris of the Quenis, shereffis in that part, chargeing thame to pas and mak publicatioun heirof be oppin proclamatioun at the mercat croce of Edinburgh, havin and peir of Leyth, and all utheris places neidfull, and to command and charge all and sindry hir Majesties liegis, of quhat estait or degre that evir thai be of, that nane of thame tak upoun hand privatlie or oppinlie to contravene, brek, or aganesay this present ordinance in ony part thairof, or

yit to mak ony stop, hinderance or inquietatioun to the saidis Provest, Baillies, and Counsall, or to thair visitouris and clengearis, to be appointit be thame for the executioun of the premissis, bot that thai concur and assist to thame thairin, undir the pane of deid. Quhilkis Provest, Ballies, and Counsall, the Quenis Majestie commandis and gevis power to tak and apprehend the personis contravenaris heirof quhatsumevir, and hald thame in suir firmance and captivitie, quhill justice may be ministrat upoun thame for thair offenssis, as thai will ansuer upoun thair charge, and persew in that behalf. Mairowr, that thai ordour the schippis cummit in of auld, quhilkis of a lang tyme bigane hes handillit and loissit thair gudis at the jugement and discretioun of the saidis Provest, Ballies, and Counsall, and alwayis nane of the lynt swa to be handillit and loissit in Sanctcolmisinche, to be bocht and sauld be ony personis, or yit transportit furth of the said Inche, in ony wayis quhill the said feist of Martimes, undir the pane abonewrittin, etc.

Apud Edinburgh, xxviij Septembris, anno, etc. lxiiij°.

Sederunt. Archibaldus Ergadie Comes. Jacobus Moravie Comes. Jacobus Comes de Mortoun, Cancellarius. Joannes Atholie Comes. Alexander Comes de Glencarne. Patricius Dominus Ruthven. Secretarius. Thesaurarius. Computorum Rotulator. Clericus Justiciarie. Clericus Registri. Advocatus.

Order for the Middle Marche.

Forsamekill as complaint being maid be Sir Walter Ker of Cesfurd, Knycht, Wardane of the Middil Marche of this realme foranent Ingland, how the baronis, landit men, gentilmen, and utheris quhilkis of befoir, of a lang continewance wer detbund and accustumat to serve and await upoun the wardane at all dayis of trew, and utheris tymes requisit for making and keping of guid rewll in the cuntre, dois now abstract thair presence, makis na service bot in a maner lychtleis and estemis the said Sir Waltir, of na grittar power nor ony uther commoun man, nochtwithstanding that he is hir Hienes officiar and Wardane and occupiis hir place and auctorite in that part. This complaint wes the mair grevous to hir Majestie, knawing be the declaratioun of hir Counsall quhat was in deid the service and dewitie quhilk the saidis baronis, landit men, gentilmen, and utheris aucht to hir Hienes and hir Wardane, and quhat imuniteis thai had broukit thairfoir in tyme of generall taxationis and utherwyise. And thairfoir hir Majesteis mynd and plesour is, that in tyme cuming na sic contempt of hir autoritie and neclecting of thair bund dewiteis be attemptit and usit, bot that thai be reducit and brocht agane in practise of thair formar maner of serving and obedience; and to that effect, ordanis lettres to be direct to hir Majesteis officiaris, and Shereffis in that part, chargeing thame to pas to the marcat croces of Jedburgh, Kelso, Hawick, Selkirk, and utheris places neidfull, within the boundis of the said Wardanerie, and thair be oppin proclamatioun, in hir Hienes name and autorite, command and charge all and sindry, baronis, landit men, gentilmen, frehaldaris, substantious yemen,

and all utheris, quhilk of befoir wer in use to await and serve the Wardane, that thai, and ilkane of thame, and honestlie accumpaneit and arrayit, convene, meit, and pas in cumpany, and await upoun the said Sir Waltir, Wardane foirsaid, to all dayis of trew, quhilkis he sal happin to appoint, hald, and keip with the Wardane of the apposit Marche, or to quhatsumevir uther tryst or conventioun quhilk he sall appoint, within the boundis of the said Wardanerie, for treating of quhatsumevir materis tending to the conservatioun of the cuntre in quietnes, and stancheing of thift, as thai sal be warnit and adverteist, be oppin proclamatioun appointand ony day of trew, or be the wardanis officiar or servandis, or be his lettres of missyve writtingis; and that thai on na wyise absent thame selffis thairfra, without of befoir thai mak thair ressonabill excuse to the wardane, and it being fund be him sufficient, sal happin to admit it and grant unto thame his licence, undir all hieast pane, injure, and offence, that thai and ilkane of thame may commit, and inrin aganis hir Majestie in that part. With certificatioun to thame, and thai failye, and beis fundin negligent or culpabill in the premissis, or ony part thairof, hir Majestie will se to it, and lat thame knaw hir Graces indignatioun in sic sort, that upoun the complaint of the Wardane to be maid in this behalf, quhatevir the effect of the offence be, yit the meanest sort of punisement salbe impresoning of the offendouris ay and hir Hienes haif takin suir inquisitioun and knawlege of the qualitie of the offence, and forder induring hir Majesteis will and plesour.

Heirupoun wer lettres direct and als missyve writtingis to this same effect send to

Adame Scot of Alanehauch.
The Lard of Howpaslocht.
Robert Scot of Thirlstane.
Adame Scot of Bonytoun.
Will Scot of Tuschelaw.
The Guidman of Eidschaw.
Wat Scot of Syntoun.
Philp Scot of Drihope.
The Lard of Badrewll.
The Lard of Wauchop.
The Lard of Phillophauch.
The Tutour of Mynto.
The Guidman of Halrule.
George Turnbull of the Tour.
The Lard of Hundeley.
The Lard of Hunthill.
The Lard of Edyarstoun.
The Lard of Pharnyhirst.
The Lard of Riddell.
The Lard of Ormistoun.
The Lard of Bunjedburcht.
The Sheref of Teviotdaill.
The Guidman of Galloschelis.
The Guidman of Torwodlie.
Thomas Ker of the Yair.
The Lard of Tracquair.
The Lard of Greneheid.
Wat Ker of Dolphingstoun.
The Abbot of Melrose.
The Lard of Overwod.
The Lard of Harwod.
George Turnbull of Barnhillis.
The Lard of Cranstoun.
The Lard of Coklaw.
The Guidman of Horsliehill.
The Provest and Baillies of Jedburch.
The Provest and Baillies of Selkirk.
The Provest and Baillies of Peblis.

And thir lettres wer execut and missyves deliverit be Williame Seytoun pursevant.

Apud Edinburgh, ultimo die mensis Septembris, anno Domini millesimo quingentesimo sexagesimo quarto.

Sederunt. Archibaldus Ergadie Comes. Jacobus Moravie Comes. Jacobus Comes de Mortoun, Cancellarius. Joannes Atholie Comes. Patricius Dominus Ruthven. Secretarius. Thesaurarius. Computorum Rotulator. Clerici Registri et Justiciarie. Advocatus.

Lochinvar. Garthlone.

The quhilk day, anent the clame, debait, and contraversie standing betuix Johnne Makdowell, bruther to Uchrid Makdowell of Garthland, on that ane part, and George and Agnes M^{c}Crekanis on that uther part, tuicheing the present possessioun of the xl ß land of Colquossin, with the pertinentis, liand in the barony of Glenluce, within the Sherefdome of Wigtoun, acclamit be ather of the saidis partiis. The Lordis of Secreit Counsall remittis the decisioun of the said mater to the Lordis of Sessioun, or utheris ordinar jugeis, ordinand the saidis partiis to persew and defend thairin as thai wil be servit, and in the menetyme, quhill the decisioun of the said mater, the saidis Lordis,—with avyise and consent of the said Johnne M^{c}Dowell on that ane part, and of Johnne Gordoun of Lochinvar, in name, and takand the burding upoun him for the saidis George and Agnes M^{c}Crekanis on that uther part,—ordanis the saidis landis and steding to ly void and waist, and bayth the saidis partiis cornis, cattell, and gudis to be removit thairfra, and that lettres be direct heirupoun, gif neid beis, in forme as efferis.

Sheref of Air. Cragywallace.

The quhilk day, forsamekill as it hes plesit the Quenis Majestie to grant twa severall Commissionis of Justiciarie to Mathow Campbell of Lowdoun, Knycht, Sheref of Air, and Johnne Wallace of Cragy, for halding of justice courtis and administratioun of justice within the Baillierie of Kyle Stewart, upoun certane crymes specifiit in the saidis commissionis, as the samyn at mair lenth beris; and becaus ather of the saidis personis hes thair freindis dwelland within utheris boundis and jurisdictionis quhairupoun contentioun and debait may chance to arryise betuix thame: Thairfoir the said Mathow on the ane part, and Hew Wallace of Carnell, in name and takand the burding upoun him for the said Johnne Wallace on that uther part, comperand in presens of the Lordis of Secreit Counsall, wer content, and be thir presentis consentis and submittis all debait, contentioun, and contraversie that sal happin betuix thame, towart the using of the saidis twa commissionis, to the jugement, declaratioun and finall sentence of Johne Dunbar of Blantyre, and Williame Campbell, tutour of Sesnok, for the part of the said Mathow Campbell, and of Allane, Lord Cathcart, and Maister Johne Fowlartoun of Dreghorne for the part of the said Johnne Wallace; and in caise of thair discord, that thai togidder elect and choise ane odman and ourisman, at quhais jugement, declaratioun, and sentence bayth the saidis partiis, for thameselffis, thair kin, freindis, and servandis, sall abyde, undirly,

and fulfill, but ony vocatioun or agane calling quhatsumevir, swa that na complaint salbe heireftir maid to the Quenis Majestie towart the saidis contraversiis and debattis.

The quhilk day, the Quenis Majestie calling to rememberance hir Hienes act and ordinance, maid and set furth towart the careing and sending away furth of this realme, be the marchantis thairof, strangearis and utheris, of the oxin and ky hydis of greit quantitie, quhilk for the occasionis occurring for the tyme wes prohibit during the space of thre yeris following the xi day of September the yeir of God j^{m}v^{c}lxi yeris. Bot now hir Majestie clerlie persaving and considdering how far hir Hienes hes bene frustrat and disapointed of hir intentioun be making of the said act and ordinance, and that the samyn be craftie inventionis and practises, alswell of the marchantis as of the craftismen, hes bene alluterlie abusit hiddirtillis; for sum part of the marchantis, evin immediatlie eftir the making of the act, and continewalie sensyne, hes nocht ceissit to salt and gaddir togiddir the hydis, kepand thame in stoir, and sumpart be prevy meanis obtenit licence for thair awin privat commoditie to transport hydis, quhairof, althocht the licence did oftymes extend to a few nowmer, yit undir the cullour and pretence of that small libertie the saidis hydis wer careit and stowin away in exceding greit quantitie; and on the uther part the craftismen, following thair awin commoditie, as it wer altogidder conspyrit, held thair grayth still at the auld derth, and the subjectis get na maner of ease nor releif be the said act, for quhilk caus cheiflie the samyn wes maid and set furth. And by all this hir Majestie in the menetyme hes wantit, and bene defraudit of hir dew custumes, quhilkis at the begynning, of guidwill for the commoun weillis caus, hir Hienes wes content to want; and now finding that the said act hes bene in this sort craftelie transgressit, and hes nocht takin the effect in deid for quhilkis it wes divisit, hes thocht rather bettir to annull and discharge the samyn act and ordinance, nor to retene it in strenth and vigour, seing the samyn hes takin na effect nor executioun according to hir Majesteis meaning. And thairfoir hir Hienes, with the avyise of the Lordis of hir Secreit Counsall, ordanis lettres to be direct to officiaris of the Quenis, Shereffis in that part, chargeing thame to pas to the marcat croces of all burrowis within this realme, and thair, be oppin proclamatioun, in hir Hienes name and autoritie, mak publicatioun of this present discharge, and annulling of the formar act and ordinance abonewrittin, declarand it to be lefull to all marchantis in tyme cuming, to by, carie, and transport furth of this realme oxin and ky hydis, in siclike forme and maner as thai wer wount befoir the making of the formar act and ordinance abone specifiit, eftir thai haif payit thair dew custumes thairfoir; dischargeing all sercheouris and utheris quhatsumevir, of all stopping, arreisting, or impediment making, in transporting of hydis, heireftir, and of thair offices in that part. Hydis.

Apud Edinburgh, septimo die mensis Octobris, anno Domini milesimo quingentesimo sexagesimo quarto.

Sederunt. Archibaldus Ergadie Comes. Jacobus Moravie Comes. Jacobus Comes de Mortoun, Cancellarius. Joannes Atholie Comes. Patricius Dominus Ruthven. Secretarius. Thesaurarius. Computorum Rotulator. Clericus Justiciarie. Advocatus.

Horssis. The quhilk day, the Quenis Majestie, undirstanding how the subjectis of this realme hes this instant yeir careit and transportit away to the partis of France ane greit nowmer of horssis, throw the quhilk greit derth of horssis apperandlie sall follow, without sum guid ordour be provydit for stancheing of sic thingis in tyme cuming, thairfoir ordanis lettres to be direct to officiaris of the Quenis, Shereffis in that part, chargeing thame to pas to the marcat croces of all burrowis of this realme, and utheris places neidfull, and thair be oppin proclamatioun, in hir Hienes name and autorite, command and charge all and sindry hir Majesteis liegis, that nane of thame tak upoun hand privatlie or oppinlie to transport and carie furth of this realme ony maner of horssis in tyme cuming, undir the pane of deid; and likewyise that na maner of skipparis and maisteris of schippis, indwellaris of this realme or strangearis, ressave within thair schippis ony maner of horssis to be transportit to utheris cuntreis, undir the pane of confiscatioun of the schip or veschell quhatsumevir quhilk sal happin to ressave horssis heireftir, and punissing of thair personis at the Quenis Majesteis will and plesour.

Apud Edinburgh, decimo Octobris, anno, etc. lxiiij°.

Sederunt. Archibaldus Ergadie Comes. Jacobus Moravie Comes. Jacobus Comes de Mortoun, Cancellarius. Joannes Atholie Comes. Patricius Dominus Ruthven. Secretarius. Computorum Rotulator.

Lord Sempil. Glen. The quhilk day, anent oure Soverane Ladiis lettres, purchest be James Glen of the Bar, makand mentioun, that quhair Robert Lord Sempill hes obtenit hir Hienes commissioun of justiciarie upoun the haill inhabitantis of the barony and sherefdome of Renfrew, within the quhilk jurisdictioun the said James and his barnis dwellis, quha aucht na wyise to haif ony commissioun or jurisdictioun upoun the said James, his brethir, barnis, freindis, and servandis,—becaus it is noutourlie knawin that the said Robert Lord Sempill beiris deidlie feid and inimytie aganis the said James, his barnis, brethir, kin, and freindis, and hes usit greit crudilitie and hostilitie upoun thame,—in ony wyise, and specialie in caus criminall quhair he may dispone upoun thair lyffis. And anent the charge gevin to him to bring and present befoir the Quenis Majestie and Lordis of Secreit Counsall, this instant day, the commissioun abonespecifiit, to be sene and considderit be the saidis Lordis, and to have hard and sene ordour takin thairanent as appertenis, lyke as at mair lenth is contenit in the saidis lettres, the said

James Glen comperand personalie, and the said Robert Lord Sempill being callit, and comperit in his name Robert Maister of Sempill and Johnne Sempill his sonnis, quhais ressonis, allegationis, and excusationis wer hard and considderit; the Lordis of Secreit Counsall suspendis the said Robert Lord Sempillis commissioun abonewrittin, and dischargeis him of all calling and proceding aganis the said James Glen, his barnis, brethir, kin, and freindis, be vertew thairof, ay and quhill the said commissioun be producit befoir the Quenis Majestie and Lordis foirsaidis, and the party dewlie and ordourlie warnit to the productioun thairof as efferis.

Thridis and Pensionis.

The Quenis Majestie, calling to mynd how, eftir hir Hienes arryvall in this realme in the moneth of December, the yeir of God j^{m}v^{c}lxi yeris, hir Majestie, foirseand the eminent troubill quhilk than apperandlie wes to ryise amangis the liegis, held ane generall Conventioun, quhairupoun the xv day of the said moneth it wes concludit, decernit, and determit be hir Majestie, Lordis of hir Secreit Counsall, and utheris of the nobilitie present for the tyme, that gif the ferd part of the frutis of the haill benefices ecclesiasticall within this realme, mycht be sufficient to sustene the ministeris within the haill realme, and to support the Quenis Majestie to interteny and set furthwart the commoun effaris of the cuntre, failyeing thairof the thrid part of the saidis frutis or mair, quhill it wer fund sufficient to the effect foirsaid, to be takin up yeirlie thairefter, quhill ane generall ordour wer takin thairin, as in the act and ordinance maid thairupoun at mair lenth is contenit. And albeit the meanyng of hir Majestie at that tyme wes, and yit is, that the saidis thrids of the benefices and proffittis thairof sould have bene alwayis employit to the same self use for quhilk it wes first devysit, yit mony inoportunlie and without forder respect bot thair awin privat lucre, hes abusit hir Hienes linitie and greit liberalitie, partlie without ony guid or sufficient caus, purchessing dischargeis on thair thrids, and pertlie sekand unressonabill pensionis furth of the samyn thrids, quhill finalie the haile thing, quhilk at the begynning wes abill aneuch to haif relevit hir Majesteis necessar chargis and to haif sustenit the ministeris, as be the abone nemnit occasionis, cum to a mater of small vale, swa that bayth hir Majestie inlakis presentlie, and the ministeris gettis na payment of thair appointit stipends. The caus heirof being weill and ryplie considderit be hir Majestie and the Lordis of hir Secreit Counsall, na bettir nor mair commodious remedy could be devysit nor to reduce the saidis materis in the formair estait and conditioun; and thairfoir hir Hienes, at the ernest desyre, supplicatioun, and demonstratioun of hir said Counsall, declaring all this abuse hiddertillis to haif onelie procedit of hir Majesteis awin liberalitie upoun inoportune suitis, rescindis, revokis, cassis, annullis, and dischargeis, in all tyme cuming, all giftis and dispositionis of the thrids of quhatsumevir benefices, gevin and disponit to quhatsumevir persoun or personis, by the possessouris, and all dischargeis of the saidis thrids gevin to the possessouris thameselffis; and als dischargeis all giftis and pensionis quhatsumevir, gevin to quhatsumevir personis,

to be payit furth of the saidis frutis of benefices, be hir Majesties Comptrollar and his Chalmerlanis, owther in generall or quhatsumevir particular assignationis gevin thairupoun, dischargeing the said Comptrollar and his saidis Chalmerlanis of ony payment making of the saidis pensionis heireftir, and als commanding him and thame to ask, crave, ressave, intromet, and uptak all and sindry the saidis thrids, gevin and disponit in ony tyme bigane, of all yeris and termis to cum eftir the dait heirof. And for ansuering and obeying to thame of the samyn, that lettres be direct according to the first actis and ordinances in all respectis, siclike as gif na sic giftis or dischargeis had bene gevin. Attour, the Quenis Majestie, attending how, be the perswasionis of divers hir subjectis hir Majestie is oftymes movit to schaw grittar liberality nor the caus requiris, or yit that hir Hienes may weill use, without hir awin skayth, and inlaik in utheris thingis quhair the samyn aucht rather to be schawin: Thairfoir, likewyise, at the ernist desyre and supplicatioun of hir said Counsall, for eschewing of the insaciabill cupiditie of dalie askaris, is contentit to suspend hir handis of all sic geving of pensionis and dischargeing of thrids in tyme cuming, without the same gift and dispositioun quhatsumevir sall first be found be hir Hienes and hir Counsall ressonabill, and for wechty, urgent, and sufficient, nocht to be refusit.

Apud Edinburgh, xvj Octobris, anno, etc. lxiiij°.

Sederunt. Jacobus Moravie Comes. Archibaldus Ergadie Comes. Jacobus Comes de Mortoun, Cancellarius. Joannes Atholie Comes. Patricus Dominus Ruthven. Secretarius. Thesaurarius. Clericus Registri. Clericus Justiciarie. Advocatus.

Erle of Cassillis. Buchannan.

The quhilk day, anent the complaint maid be Maistir George Buchquhannan, makand mentioun that quhair he hes be gift of our Soverane Lady, for all the dayis of his lyff, ane yeirlie pensioun of the soum of v^{c} lĭ., to be yeirlie uptakin of the frutis and emolumentis of the Abbay of Corsragwell, and for payment thairof thair is assignit to him the haill temporaltie of the said Abbay, with the place, manis, wod, and pertinentis thairof. Nevertheles, Gilbert Erle of Cassillis hes, sen the deceis of the last Abbot of Corsragwell, enterit within the place and Abbay thairof, withhaldis, and on na wayis will deliver the samyn to the said Maister George, without he be compellit, lyke as at mair lenth is contenit in the said complaint. The saidis Erle of Cassillis and Maister George comperand bayth personalie, the Lordis of Secreit Counsall ordanis lettres to be direct simpliciter to charge the said Gilbert Erle of Cassillis to deliver the said Abbay and place of Corsragwell, with the orchartis and yairdis thairof, to the said Maister George, or ony in his name havand his power in his name to ressave the samyn, within sex dayis nixt eftir the charge, undir the pane of rebellioun; and gif he failye, the saidis sex dayis being bipast, to put him to the horne. And as to the remanent pointis of the said complaint, referris the samyn to

the decisioun of the Lordis of Counsall and Sessioun, ordinand the said Maister George to persew befoir thame or uther ordiner jugeis as he thinkis caus.

Apud Edinburgh, decimo octavo Octobris, anno, etc. lxiiij.

Sederunt. Jacobus Moravie Comes. Jacobus Comes de Mortoun, Cancellarius. Joannes Atholie Comes. Patricius Dominus Ruthven. Secretarius. Thesaurarius. Clericus Registri. Clericus Justiciarie.

Turnbull. Sheref of Roxburgh. Ellott.

The quhilk day, anent the complaint maid be Johne Turnbull of Hassendenbank upoun David Ellot, sone to umquhile Gawin Ellot of Horslihill, for the maisterfull reif and stowth fra the said Johnne, furth of his dwelling hous at Hassindenkirk, upoun the thrid day of October instant, of lxxx scheip; the Lordis of Counsall, eftir inquisitioun takin, findis that the landis of Cavilling, quhairupoun the said David dwellis, acclamit to pertene heretabillie bayth to Williame Dowglas of Caveris, and to Gawine Ellot, sone to umquhile Robert Ellot of Horsliehill; and thairfoir ordanis lettres to be direct to officiaris of the Quenis, shereffis in that part, chargeing thame to pas, and in hir Hienes name and autorite command and charge the said Williame Dowglas of Caveris, and Williame Dowglas in Horsliehill, fadir bruther and tutour to the said Gawin Ellot, to bring and present the said David Ellot in Cavilling, befoir the Quenis Majestie and Lordis of Secreit Counsall, at Edinburgh, or quhair it salhappin thame to be for the tyme, upoun the tent day of November nixtocum, to ansuer to the said complaint, undir the pane of rebellioun and putting of thame to the horne, or ellis to allege ane ressonabill caus quhy thai sould nocht do the same; with certificatioun to thame and thai failye, the said day being bipast, that thai salbe incontinent thaireftir, denuncit rebellis and put to the horne, and all thair movabill gudis escheit to hir Hienes use for thair contemptioun.

Apud Edinburgh, xx Octobris, anno, etc. lxiiij°.

The quhilk day, Maister Williame Mudy, Chalmerlane to our Soverane Lady in Orknay, is becumin actit and obleist that the schip takin and intromettit with be Thomas Mudy, his bruther, as ane pyrat, salbe furthcumand to all partiis clamand interesse thairto as accordis of law.

Apud Edinburgh, xix Octobris, anno, etc. lxiiij°.

Sederunt. Jacobus Moravie Comes. Jacobus Comes de Mortoun, Cancellarius. Joannes Atholie Comes. Patricius Dominus Ruthven. Secretarius. Thesaurarius. Clericus Registri. Clericus Justiciarie.

Glenurquhy. Weyme.

The quhilk day, anent oure Soverane Ladiis lettres purchest be James Menzeis of that Ilk aganis Coline Campbell of Glenurquhy, for the wrangus intru-

sioun of himself, and of Rannald M^cRannald M^cConilglas of Keppach, and utheris in his name, in the isle within the Loch of the Rannoch, pertening heretabillie to the said James, and fortificatioun thairof sen the Quenis Majesteis inhibitioun maid in the contrair. And anent the charge gevin to the said Coline to haif comperit befoir hir Hienes and Lordis of Secreit Counsall at ane certane day bigane, to haif ansuerit to the said James complaint, with certificatioun and he failyeit, hir Majestie and the saidis Lordis wald proceid and tak ane ordour anent the samyn complaint, as appertenit of ressoun, lyke as at mair lenth is contenit in the saidis lettres. The said James Menzeis comperand personalie, and the said Coline being callit, nowther comperit personalie himself, nor ony in his name, fully instructed with his mynd and havand his power; thairfoir the Lordis of Secreit Counsall ordanis lettres to be direct to officiaris of the Quenis, shereffis in that part, chargeing thame to pas, command, and charge the said Coline Campbell to compeir befoir the Quenis Majestie and thair Lordschipis at Edinburgh, or quhair it sal happin thame to be for the tyme, upoun the secund day of November nixtocum, to heir him be decernit to remove himself, the said Rannald M^cRannald, and all utheris, his partakaris and servandis, furth of the said Ile in the said Loch Rannoch, and deliver the samyn to the said James Menzeis, to be usit be him at his plesour thaireftir as his heretage, or ellis to allege ane ressonabill caus quhy the samyn sould nocht be done; with certificatioun to him and he failye, that lettres salbe direct to charge him simpliciter thairto, and als the said Coline to ansuer upoun his contempt in dissobeying the Quenis Majesteis writting send to him, inhibitand all fortificatioun of the said Ile, and placeing of brokin men of far Hielandis and clannis thairin; and for the wrangus fortificatioun and bigging of the said Ile, eftir the presenting of the said writting to him, with certificatioun to him and he failye, ordour sal be takin thairanent for dew punisement of the said Coline thairfoir, as appertenis of ressoun.

Apud Edinburgh, xxviij die mensis Octobris, anno Domini, etc. lxiiij°.

Presente, Regina. Sederunt. Jacobus Dux Chestellarault. Archibaldus Ergadie Comes. Jacobus Moravie Comes. Joannes Atholie Comes. Jacobus Comes de Mortoun, Cancellarius. Patricius Dominus Ruthven. Joannes Magister de Maxwell. Secretarius. Clericus Justiciarie.

Duke of Chestelleralt. Erle of Levenax.

The quhilk day, the Quenis Majestie havand consideratioun of the allegit feid, inymitie, grudge, and displesour standing betuix hir traist cousing James, Duke of Chestellarault, his predecessouris and freindis, on that ane part; and hir traist cousing Mathow, Erle of Levenax, his predecessouris and freindis, on that uther part; quhairthrow hir Hienes service may be impedit, and the quietnes of the cuntre disturbit, gif hir Majestie provyde nocht sufficient remeid, and in tyme put ordour thairto. Thairfoir hir

Hienes, willing to remove sic evill occasionis, in presence of the Lordis of hir Secreit Counsall, and be thair avyse, hes commandit, and presentlie commandis bayth the saidis partiis respective, that thai, and ilk ane of thame, nochtwithstanding ony allegeit feild or inymite bipast, behald thame selffis moderatlie quietlie and in peace, as becummis guid subjectis, and that nane of thame molest or troubill utheris for ony offence, or allegeit offence, bigane, preceding the dait heirof, or for ony inymitie, feid, or grudge that ather of thame hes consavit or borne aganis the uther, for ony caus or occasioun bipast for thame and thair predecessouris, undir the pane of incurring hir Majesteis uter displesour and indignatioun. Certifeing thame that gif ather of thame contravenis this same in ony point, hir Majestie will manteine, fortifie, and defend the party grevit, or persewit, and puneis and becum plane party to him that sal becum the first occasioun of brek. And becaus hir Majestie wald nocht that ony rute were left behind, quhilk mycht engender ony new displesour or grudge betuix thame, undirstanding that the said Duik of Chestellarault hes presentlie in tak and assedatioun the Baillierie and Justiciarie of Glasgow, quhilk of auld wes ane kyndlie possessioun to the said Erle of Levenax hous, as he allegis; thairfoir ordanis hir said cousing, the Duke of Chestellarault, to renunce, resigne, and gif owir, for himself and his airis, the samyn, and all uther rycht, titill of rycht, entres or possessioun that he hes or may pretend thairto, be ony maner of way; and dimit the samyn frelie and simpliciter, to the effect that the Archbischop of Glasgow may dispone thairupoun, nochtwithstanding ony titill maid to hir said cousing, or ony of his sons thairof of befoir. Quhilk commandment bayth the saidis partiis, as guid and obedient subjectis, promeist in presens of the Counsall foirsaid to obey, fulfill, and faythfullie to accomplische.

Apud Edinburgh, primo die mensis Novembris, anno, etc. lxiiij°.

Donald Dow. Sorle M°Allane.

The quhilk day, in presence of the Lordis of Secreit Counsall, comperit Donald Dow M°Conill M°Ewin of Locheld, capitane of the Clanchamroun, on that ane part; and Sorle M°Conill Makalane, tutour of Gleneves, for himself, and in name of Alester M°Alester, oy and apperand air of umquhile Alester M°Alester M°Donald of Gleneves, on that uther part; ather of thame having divers actionis and caussis to persew aganis utheris, as thai allegeit, and wer contentit and consentit to ansuer uther befoir the Lordis of Counsall and Sessioun, summarlie, but diet or tabill, upoun summondis of sex dayis warning. And that in consideratioun, that thai bayth dwell in the far Hielandis, and may nocht await of ony lang continewance upoun pley, quhilk forme and ordour thai acceptit and allowit to be als sufficient in all respectis as gif thair saidis actionis wer intentit upoun xxi or xv dayis warning, and baid the course of tabill as utheris dois; and this consent to be extendit to all and quhatsumevir actionis to be intentit be ony of the saidis personis aganis utheris, for quhatsumevir caussis or occasionis bipast.

Apud Edinburgh, tertio die mensis Novembris, anno, etc. lxiiij°.

Lefnoreis. The quhilk day, George Craufurd of Lefnoreis and Johnne Schaw of Haly ar becum actit and obleist, ather of thame for thair awin partis, that thai sall entir and present all and sindry thair freindis, men, tennentis, and servandis dwelland upoun thair landis or in cumpany with thame, befoir the Justice, his Deputtis, or befoir Mathow Campbell of Lowdoun, Knycht, Sheref of Air, as havand hir Hienes commissioun, to undirly the law for all crymes quhilk the said Mathow be his said commissioun hes power to juge, at quhatsumevir tyme thai salbe requirit thairto, owther be the said Justice, his Deputtis, or be the said Mathow, upoun lauchfull and tymous warning, that is to say, ilk landit man, undir the pane of twa hundrith pundis, and ilk yeman man undir the pane of ane hundrith markis.

Apud Edinburgh, predicto tertio die mensis Novembris, anno, etc. lxiiij°.

Sederunt. Jacobus Moravie Comes. Jacobus Comes de Mortoun, Cancellarius. Joannes Comes de Atholl. Patricius Dominus Ruthven. Secretarius. Thesaurarius. Computorum Rotulator. Clericus Justiciarie. Clericus Registri. Advocatus.

Glenurquhy. Weyme. The quhilk day, anent oure Soverane Ladiis lettres purchest be James Menzeis of that Ilk, aganis Coline Campbell of Glenurquhy, for the wrangus incursioun of himself and of Rannald M°Rannald M°Conilglas of Keppach, and utheris in his name, in the Ile within the Loch of Rannoch, pertening heretabillie to the said James, and fortificatioun thairof, sen the Quenis Majesteis inhibitioun maid in the contrair. And anent the charge gevin to the said Coline to haif comperit befoir hir Hienes and Lordis of hir Secreit Counsall at ane certane day bigane, to heir him decernit to remove himself, the said Rannald M°Rannald, and all utheris his servandis and partakaris, furth of the said Ile in the said Lochrannoch, and to deliver the samyn to the said James, to be usit be him at his plesour, thaireftir as his heretage, as at mair lenth is contenit in the saidis lettres. The said James Menzeis comperand personalie, and the said Coline comperand be Maister Johnne Scharp, his procuratour, quha proponit peremptourlie ane exceptioun, berand that the said Coline Campbell aucht nocht to be decernit to have intrusit himself in the Ile callit the Ile of Rannoch, nor yit sould be decernit to remove thairfra at the instance of the said James Menzeis, nor fra the landis of Rannoch, as is desyrit in the said summondis, for the ressonis and caussis contenit in the said exceptioun, as the samyn mair fullelie proportis. Quhilk being fundin relivant be the Lordis of Secreit Counsall, thay have continewit the said mater in the samyn forme, force, and effect, as it is now, but prejudice of party, unto the xxv day of November instant; and thairfoir ordanis the said Coline to have lettres to summond sic witnessis as he will use for preving of the said exceptioun agane the said day, undir the pane of rebellioun and putting of thame to

the horne; and to produce sic writtis, ressonis, and documentis as he will use for preving of the exceptioun forsaid agane the said day. The partiis and thair procuratouris ar warnit heirunto apud acta.

The quhilk day, the said James Menzeis on that ane part, and the said Maister Johnne Scharp, procuratour for the said Coline, on that uther part, ar content and consentis that the Lordis of Secreit Counsall be jugeis to this mater, and submittis the samyn to thair jugement. Glenurquhy. Weyme.

The quhilk day, in presence of the Lordis of Secreit Counsall, comperit James Menzeis of that Ilk, Johnne Stewart in Lorne, Maister Johnne Abircrumby, Cuthbert Ramsay, Maistir Johnne Spence in Freir Wynd, burgessis of Edinburgh, and ane nobill and mychty lord, Johnne Erle of Atholl, Lord of Balvany, as souertie to releve thame; and gaif in this obligatioun, subscrivit with thair handis, quhilk thai desyrit to be actit and registrat in the bukis of Secreit Counsall, to have the strenth of ane act and decreit of the Quenis Majestie and Lordis thairof. Quhilk desyre the saidis Lordis thocht ressonabill, and thairfoir ordanis the samyn obligatioun to be actit and registrat in the saidis bukis of Counsall, to have the strenth of ane act and decreit of hir Majestie and Lordis foirsaidis; and lettres and executoriallis to be direct thairupoun gif neid be, in forme as efferis. Of the quhilk obligatioun the tennour followis:—Be it kend till all men be thir present lettres, us, James Menzeis of that Ilk, Johnne Stewart in Lorne, Maister Johnne Abircumby, Cuthbert Ramsay, and Maister Johnne Spens in Freir Wynd, burgessis of Edinburgh, to be bundin and obleist, and be the tennour heirof bindis and obleissis us, conjunctlie and severalie, as cautionaris for Donald Dow M°Conill M°Ewin, capitane of the Clanchamroun, that he sall remane in fre ward within the burgh of Edinburgh, and on na wayis depart furth of the samyn, ay and quhill the said Ewin find Johne Grant of Frewchy, or sic uther sufficient souertie as our Soverane Lady and Lordis of hir Secreit Counsall salbe content with all, that the said Donald sall entir and compeir befoir hir Hienes, at sic day and place as thai sall appoint, to ansuer upoun sic thingis as salbe laid to his charge, upoun xxx dayis warning, owther to be maid to the said Donald or to his souertie, undir the pane of twa thousand merkis, according to the obligatioun maid thairupoun, undir the samyn pane of twa thowsand merkis, to be payit to hir Majestie or hir Hienes Thesurare, in caise the said Donald eschaip or eschew befoir the finding of the said cautioun. And for releif of the saidis cautionaris, we, Johnne Erle of Atholl, bindis and obleissis us, oure airis and executouris, and als for payment of quhatsumevir coistis, skaythis, entres, or dampnage thai or ony of thame sal happin to sustene throw the premissis; and for the mair securite, we ar content and consentis that this oure obligatioun be actit and registrat in the bukis of Secreit Counsall, to haif the strenth of ane act and decreit of the Quenis Majestie and Lordis thairof, and lettres and executoriallis to be direct thairupoun gif neid be, in forme as efferis. In witnes of the Cautio Donaldi Dow.

quhilk thing we haif subscrivit thir oure lettres obligatouris with oure handis, at Edinburgh, the thrid day of November, the yeir of God j^{m}v^{c} thre scoir and four yeris, befoir thir witnessis: Johnne Fentoun, Comptrollar Clerk, Williame Brysoun, Williame Foulis, Kepar of the Chekker Hous dur, and Menzeis of Cumry, with utheris diverse.[1]

Apud Edinburgh, xxvij die mensis Novembris, anno Domini j^{m}v^{c}lxiiij^{o}.

Obligatio Donaldi Dow et Domini de Grant sui fidejussoris.

In presence of the Lordis of Secreit Counsall, comperit Donald Dow M^{c}Conill M^{c}Ewin of Locheld, capitane of the Clanchamroun, and Maistir Williame Grant, procuratour, specialie constitut, for Johnne Grant of Frewchy, and [presented a band and obligatioun and ordered to be registered for executioun, of which the tenor follows.[2]] Be it kend till all men be thir present lettres, me, Donald Dow M^{c}Conill M^{c}Ewin of Locheld, capitane of the Clanchamroun, to be bundin and obleist, and be the tennour heirof bindis and obleissis me, that I sall keip guid rewll and ordour in the cuntre, and on na wyis sall molest, troubill, nor inquiet ony of our Soverane Ladiis liegis, in bodiis or gudis, be force and way of deid, utherwyise nor be ordour of law and justice. And in caise I failye in the premissis, or ony part thairof, in that caise I bind and obleis myself as principall, and Johnne Grant of Frewchy as cautionar and souertie for me, that I sall entir and compeir befoir hir Hienes and Lordis of hir Secreit Counsall, at sic day and place as thai sall appoint, to ansuer to sic thingis as salbe laid to my charge, upoun xxx dayis warning nixt eftir the charge owther to be maid to me, the said Donald, or to my souertie, undir the pane of twa thowsand markis, to be payit to hir Majestie and hir Hienes Thesaurare in caise of my noncomperance at the day appointit. [He consents to the registration of the band for execution.] In witnes heirof, I, the said Johnne Grant, hes subscrivit thir my lettres obligatouris with my hand, at Frewchy, the tent day of November, the yeir of God j^{m}v^{c} thre scoir four yeris, befoir thir witnessis, Patrik Grant of Dalway, Maister Williame Grant, and James M^{c}Allane; and I, the said Donald, hes subscrivit the samyn lettres obligatouris, with my hand in maner following:—At Edinburgh, the thrid day of November, the yeir of God abonewrittin, befoir thir witnessis, Maister Johnne Spens, Johnne Stewart of the Appin, and James Stewart, with utheris diverse.[3]

Obligatio Domini de Glenurquhy pro Ronnaldo M^{c}Rannald.

The same day, in presence of the Lordis of Secreit Counsall, comperit Andro Quheit, procuratour, specialie constitute be the personis respective undirwrittin, and gaif in the bandis and obligationis eftir following, subscrivit with the hand of Colene Campbell of Glenurquhy, [which is ordered

[1] On the margin of the Register, in a hand different from that of the Record, this note is written: Deletur de mandato dominorum Secreti Consilii intuitu obligationis domini de Grant ut patet in pagina immediate sequente.

[2] See form above, p. 293.

[3] Deletur de mandato speciali S. D. N. Regine ut patet per actum de data apud Dunkeld, xxix^{o} die mensis Junii, anno 1565.

to be registered for execution, in terms of consent. Obligation by Rannald M^{c}Rannald M^{c}Conillglasche of Keppach, to hold good rule, etc., in form of minute of 27th November. Colin Campbell of Glenurchy, cautioner, to appear on forty days' warning. Penalty merkis, to be paid to her Majesty and her Treasurer, in case of his noncomperance at the day appointed.] In witnes of the quhilk thing I, the said Colene, hes subscrivit thir lettres obligatouris with my hand, at Balloch, the xiij day of November, the yeir of God j^{m}v^{c}lxiiij yeris, befoir thir witnessis, Maister Johnne Cunynghame, James Ruthven, and Andro Quhit, notar publict; and the said Rannald hes subscrivit the samyn lettres with my hand in maner following:—At Balloch, the xiij day of November, the yeir of God abonewrittin, befoir thir witnessis, Maister Johnne Cunynghame, James Ruthven, and Andro Quhyte, notar publict.[1]

Secundo die mensis Decembris, anno, etc. lxiiij°.

Sederunt. Jacobus Comes de Murray. Jacobus Comes de Mortoun, Cancellarius. Johannes Dominus Erskin. Patricius Dominus Ruthven. Secretarius. Clericus Registri. Clericus Justiciarie. Computorum Rotulator. Advocatus.

The Lard of Findlettir. Margaret Gordon. Alexander Abercrummy.

The quhilk day, anent the contraversie depending betuix James Ogilvy of that ilk, on that ane part, and Margaret Gordoun, relict of umquhile George Abircumby of Petmeddan, and Alexander Abircumby, hir sone, on that uther part, tuicheing the making and delivering of ane new infeftment to the said Margaret and Alexander, of the landis of Edinaltre and Cottoun. Bayth the partiis being hard, and thair ressonis and obligationis considderit, the Lordis of Secreit Counsall ordanis the said James Ogilvy to mak and deliver to the saidis Margaret and Alexander infeftmentis of the saidis landis, conforme to the auld takand of thame, likwyise reversionis conforme to the auld reversionis in all pointis without takkis, the saidis Margaret and Alexander payand the rest of the fyve yeris proffeit to the said James; and further, he sall use thame as guid tennentis thaireftir, according to the commouning had betuix my Lordis Thesaurare, Advocat, and the said James, in presens of the saidis Lordis thairupoun.

Apud Edinburgh, tertio die mensis Decembris, anno Domini j^{m}v^{c} sexagesimo quarto.

Sederunt. Jacobus Comes de Murray. Jacobus Comes de Mortoun, Cancellarius. Joannes Comes Atholie. Joannes Dominus Erskin. Patricius Dominus Ruthven, Secretarius. Thesaurarius. Computorum Rotulator. Clericus Registri. Clericus Justiciarie. Advocatus.

James Wedderburn, schippar of Holand.

The quhilk day, anent the complaint maid be Symon Clowson, maister of ane schip of Incasen in Holand, callit the Fleand Hart, aganis James

1 "Obligatio Sorle hic omissa reperietur postea ad hoc signum ☞" [p. 301].

Wedderburne, Clerk of the Cocquet of Dunde, for the awaytaking fra the said Symon of four scoir elnis of quheit clayth, as at mair lenth is contenit in his supplicatioun. Bayth the partiis being personalie present, and thair allegationis hard and considderit, the Lordis of Secreit Counsall decernis the said James Weddirburne to restoir and deliver to the said Symon the saidis lxxx elnis of quheit clayth, ressavand fra him his dewitie thairfoir as use is, and that within xxiiij houris nixteftir the said James be chargeit thairto, undir the pane of rebellioun; and gif he failyeis, to put him to the horne, and that lettres be direct heirupoun, gif neid be, in forme as efferis.

Apud Edinburgh, undecimo die mensis Decembris, anno Domini j^{m}v^{c}lxiiij^{o}.

Sederunt. Presente Regina. Jacobus Dux de Chestellarault. Archibaldus Ergadie Comes. Jacobus Moravie Comes. Jacobus Comes de Mortoun, Cancellarius. Joannes Atholie Comes. Willelmus Marescalli Comes. Alexander Comes de Glencarne. Joannes Dominus Erskin. Patricius Dominus Ruthven. Secretarius. Thesaurarius. Clericus Justiciarie. Clericus Registri. Advocatus.

Keping of the Sabboth-day.

The quhilk day, the Queenis Majestie and Lordis of hir Secreit Counsall, undirstanding that thair wes ane Act of Parliament maid be umquhile King James the Ferd, of worthie memorie, ordaining that thair sould be na marcattis nor fairis haldin on Sondayis, nor yit within kirkis or kirkyardis, undir the pane of escheting of the gudis, as in the said act at mair lenth is contenit, quhilk act, thir mony yeris bigane, hes bene contravenit be the liegis of this realme.[1] For remeid of the quhilk abuse, hir Majestie ordanis lettres to be direct, chargeing all and sindry hir Hienes liegis, alsweill to burgh as to land, that none of thame tak upoun hand to hald marcattis or fairis on the Sonday, or yit within kirk or kirkyairdis, eftir the forme of the said Act of Parliament, and undir the pane abonespecifiit contenit thairin; and that the Provestis and Baillies within burgh, Shereffis, Stewartis, Baillies, Lordis of Regaliteis, and utheris our Soverane Ladiis ordinar officiaris to landwart, put the said Act of Parliament to dew executioun and puneis the contravenaris thairof, according to the tennour of the samyn, and that thai put the prices of the gudis to be confiscat be thame in boxis to be disponit ad pios usus, as the Quenis Majestie and Lordis of hir Secreit Counsall sall command; and to that effect that thai be reddie to gif compt of thair intromissioun quhen thai salbe requirit, and gif ony ordinar fairis sall fall on the Sonday, that the samyn be delayit quhill the nixt day thaireftir.

Bordellis.

Item, becaus the halding and keping of bordellis is as it wer ane ground unto of the vycis of adultre and fornicatioun, and the keparis of the said

[1] "It is statute and ordanit that ther be na merkate nor fares haldin upon halidais nor yit within kirkes nor kirkyardes upoun haly dais nor uthir dais, under the pane of escheit of the gudis."—Acts Parl. Scot., 1503, c. 28, ii. 252.

bordellis plane seducearis, abusaris, and alluraris of the young tendir and undefylit youth to the filthie lustis of the flesche, quhilk procuris the wrath and indignatioun of God. Thairfoir the Quenis Majestie ordanis lettres to be direct, chargeing all hir Hienes liegis that na maner of personis, nowther to burgh nor to land, within this realme, tak upoun hand to hald or manteine ane bordell, privatlie or opinlie. And quha that evir beis convict thairof, be the ordinar juge, that thai be puneist thairfoir as followis: That is to say, for the first falt to be aucht dayis imprisonit, with breid and watter, and scurgit throw the toun or parrochin quhair thai hald the saidis bordellis and beis apprehendit; and for the secund falt, that thai be brint on the cheik with ane hot irne, and benneist the toun or parrochin for evir.

Item, gif ony personis within this realme, to burgh or to land, sall commit the filthie vyce of fornicatioun, and beis convict thairof, the Quenis Majestie, with the avyise of the Lordis of hir Secreit Counsall, hes statute and ordanit that the committaris thairof salbe puneist in maner following: That is to say, for the first falt, alsweill the man as the woman, sall pay the soum of fourty pundis; or than bayth he and schö salbe impresonit for the space of aucht dayis, thair fuid to be breid and small drink, and thaireftir presentit in the marcate place of the toun or parrochin bair heid, and thair stand festned, that thai may nocht remove for the space of twa houris, as fra ten houris to xij houris at none; for the secund falt, being convict, thai sall pay the soum of ane hundrith markis; or than the foirnamit dayis of thair impresonment salbe dowblit, thair fuid to be breid and wattir allanerlie, and in the end to be presentit in the said marcat place, and bayth the hedis of the man and woman to be schavin; and for the thrid falt, being convict thairof, sall pay ane hundrith pundis; or ellis thair abone impresonment to be tripled, thair fude to be breid and wattir allanerlie, and in the end to be tane to the depast and fowlest pule of wattir of the toun or parrochin, thair to be thryse dowkit and thaireftir bannissit the said toun or parrochin for evir. And fra thynefurth, how oft that evir thai be convict of the foirsaid vyce of fornicatioun, that sa oft the said thrid penaltie be execut upoun thame, and that the Provest and Baillies of ilk burgh, the Justice Generall and his Deputtis, or sic utheris personis as it sall pleis the Quenis Majestie to gif commissioun unto to landwart, be jugeis to the personis suspect and delatit of fornicatioun; and being convict, that thai lift and uptak the abonewrittin pecuniall panis of the personis responsall and rather willing to pay the samyn nor to be demaynit in thair personis. And that the saidis corporall panis of impresoning, benissing, and utheris abone specifiit be execut upoun all sic personis as owther refusis to pay the pecuniall panis, or that ar nocht responsall to pay the samyn. And that the samyn pecuniall panis, quhilkis sal happin to be ressavit, be surelie kepit in ane clois box, and be convertit ad pios usus as it sall pleis the Quenis Majestie and Lordis of hir Secreit Counsall to command. And the ressavaris of the said panis to be reddie to gif accompt thairof quhenevir thai salbe requirit thairto.

Fornicatioun.

Adultery. Item, forsamekill as it is undirstand to the Quenis Majestie and Lordis of hir Secreit Counsall that the filthie and abhominabill vyce of adultre is frequentlie committit in this realme without feir of God, and but regard of the Actis of Parliament maid in tymes bipast for punisement thairof, of the quhilkis actis the tennour followis:—In the Parliament haldin at Edinburgh, the first day of Februare the yeir of God 1551 yeris [Act recited [1]], and in the Parliament haldin at Edinburgh the ferd day of Junij, the yeir of God 1563 yeris [substance of the Act recited [2]]. Thairfoir the Quenis Majestie ordanis lettres to be direct to hir Hienes officiaris, chargeing thame to pas to the mercat croces of the heid burrowis of all Sherefdomes of this realme, and utheris places neidfull, and thair, be oppin proclamatioun, in hir Hienes name and autorite, mak publicatioun of the saidis Actis of Parliament, that nane of hir Majesteis liegis pretend ignorance thairof. And attour, hir Hienes ordanis the Justice Clerk and his Deputtis to set particular dyettis for calling of all personis suspectit and delaitit of adultre to undirly the law thairfoir; and at the saidis dyettis to minstrat justice upoun thame, conforme to the tennour of the saidis Actis in all pointis, quhairunto this present Act sall serve to the said Justice Clerk and his Deputtis for a sufficient warrand. And mairowir, becaus it is undirstand that diverse of the Quenis liegis wickitlie and unnaturallie committit and dalie committis incest, without regaird of the propinctie of bluid, quhilk dois procure the wrayth of God, thairfoir the Quenis Majestie in like maner ordanis hir Justice Clerk set particular diettis for calling of the committaris thairof to undirly the law, quhen thai salbe delaitit or suspectit thairof, and thai being convict, to do justice upoun thame as on the committaris of adultre.

Swering. Item, forsamekill as althocht the law of God dois expreslie prohibit to sweir and tak his name in vane, and nochtwithstanding that thair be ane Act of Parliament maid anent the sweraris of abhominabill aithis, yit that vyce is sa commoun amangis diverse of the liegis of this realme, that it is continewalie usit be the maist part of men without feir of God or regaird of the lawis, of the quhilk Act the tennour followis:—In the Parliament haldin at Edinburgh the first day of Februar the yeir of God 1551 yeris [Act recited [3]]. Thairfoir the Quenis Majestie, with the avyse of the Lordis of hir Secreit Counsall, hes statut and ordanit that lettres be direct to hir Hienes officiaris, shereffis in that part, chargeing thame to mak publicatioun of the said Act of Parliament at the mercat croces of the heid burrowis of all sherefdomis of this realme, and all utheris burrowis and places neidfull, and to command and charge all Shereffis, Stewartis, Provestis, and Baillies of burrowis, and all utheris ordinar officiaris, that thai and ilk ane of thame, within thair awin jurisdictionis, put the said

[1] 1551, c. 12. "Anent oppin and incorrigibill adulteraves."—Acts Parl. Scot., ii. 486.

[2] 1563, c. 10. "Anentis notoure and manifes adulterie."—Acts Parl. Scot., ii. 539.

[3] 1551, c. 7. "Anent aithis, sweiring, execratiounes, and blasphematioun of the name of God."—Acts Parl. Scot., ii. 435.

Act of Parliament to dew executioun, and raise and uplift the last and hechast penalties contenit thairin of all transgressouris of the samyn in tyme cuming; and that the samyn penalteis be surelie kepit in clois boxis and be disponit amangis the pouer, and that the Secretar and his deputtis, keparis of the signet, pas and direct lettres for publicatioun of all thair actis and ordinances togidder or ony ane of thame as thai salbe requirit.

The Quenis Majestie, undirstanding that thir diverse yeris bigane, and in this instant yeir alswa, ane greit nowmer of the liegis of this realme hes brocht hame greit quantiteis of wynis within the samyn, but ordour, bayth in greit and small as thai lykit, and thairby hes constrenit the Quenis Majestie, the Prelattis, Erlis, Lordis, and Baronis of hir realme, to by thair wynis to the sustentatioun of thair houssis fra the thrid hand, quhairas of dewitie thai aucht to be first staikit at the arryving of ony wynis befoir ony marchand, freman or unfreman, presumit to by ony part thairof. And thairfoir the Quenis Majestie ordanis lettres to be direct to hir Hienes officiaris, chargeing thame to pas to the mercat croces of all burrowis of this realme, and utheris portis within the samyn, quhair ony wynis arryvis, and thair, be oppin proclamatioun, in hir Hienes name and autoritie, command and charge all and sindry, hir Majesteis liegis and strangearis quhatsumevir, quhilkis hes brocht in, or sal happin to bring in, ony wynis within this realme this instant yeir, that thai on na wayis sell ony part or portioun of the wyne eftir the landing thairof, or of befoir, in greit or in small, unto the tyme the Quenis Majestie, Prelattis, Erlis, Lordis, and Baronis be first stakit of thair necessaris thairof to the sustentatioun of thair houssis allanerlie; and that it remane within schip onsellarit to that effect for the space of four dayis befoir ony part of the samyn be sauld and disponit; and that the tun of Burdeaulx wyne this instant yeir be na derare sauld at the eist seyis of this realme nor xxxij pund, the tun of Scherand wyne twenty aucht pundis, the pynt of Burdeaulx wyne xiiij đ., and the pynt of Scherand wyne xij đ.; and at the west seyis the tun of Burdeaulx wyne to be na derare sauld nor xxviij ℔., and the pynt thairof x đ., undir the pane of escheting of the wynis, quhilkis salbe utherwyise sauld heireftir to the Quenis Majesteis use. And that the Provestis and Baillies of all burrowis, cieteis, and townis, namelie of all portis quhair wynis arryvis, mak the sellaris within thair townis patent to the saidis Prelattis, Erlis, Lordis, and Baronis, to the effect that thai may be sufficientlie furneist of wynis, to the sustentatioun of thair houssis allanerlie as said is, upoun the prices abonewrittin, and that thai mak this present Act and ordinance to be surelie observit and kepit in all conditionis, as thai will ansuer to the Quenis Majestie upoun thair uttirmost charge and perrill in that behalf, certifeing thame that in cais this present Act or ordinance be contravenit be ony maner of personis within thair jurisdictionis respective, the Provest and Baillies of that burgh or toun quhair the contravenaris dwellis salbe callit to undirly the law at particu- Wynis.

lar dyettis, and salbe puneist thairfoir as thocht thai transgressit the samyn thame selffis, with all extremitie and rigour.

Apud Edinburgh, duodecimo die mensis Decembris, anno, etc. lxiiij.

Sederunt. Jacobus dux de Chestellarault. Archibaldus Ergadie Comes. Jacobus Moravie Comes. Jacobus Comes de Mortoun, Cancellarius. Joannes Atholie Comes. Willelmus Marescalli Comes. Alexander Comes de Glencarne. Joannes Dominus Erskin. Patricius Dominus Ruthven. Joannes Maxwell de Terreglis, Miles. Secretarius. Thesaurarius. Clericus Justiciarie. Clericus Registri. Advocatus.

Ordour towart the West Wardanry.

The quhilk day, anent the complaint maid be Sir Johne Maxwell of Terreglis, Knycht, wardane of the West Marchis of this realme foranent Ingland, proportand that nocht onlie the commonis and yemen men within his wardanerie, bot alswa the baronis and landit men ar cumin in ane plane use of dissobedience and of absenting thame selffis to accumpany oure said Wardane at the dayis of trew, quhairthrow the Quenis Majesteis service is neglectit, and the Wardane is thairby unabill to discharge his cure, and to ansuer to the apposit Wardane as appertenis. Thairfoir the Quenis Majestie, with avyise of the Lordis of hir Secreit Counsall, ordanis lettres to be direct to officiaris of the Quenis, Shereffis in that part, chargeing thame to pas to the marcatt croces of Drumfreis, Kirkcudbrycht, Wigtoun, and all utheris places neidfull within the boundis of the said west wardanerie, and thair, be oppin proclamatioun, in hir Hienes name and autorite, command and charge all and sindry Erlis, Lordis, Baronis, frehaldaris, gentilmen, and substantous yemen men dwelland within the boundis of the said wardanrie, that thai and ilk ane of thame, without exceptioun, pas, meit, and convoy the said wardane to all dayis of trew or uther tryst or conventioun quhilk he sall appoint, owthir be oppin proclamatioun, wardane officiar, or missyve writtingis, for keping and conservatioun of the cuntre in peace and quietnes, and stancheing of thift, undir the panis following. That is to say, ilk baroun ten pundis, ilk landit man fyve pundis, and ilk substantious yeman undir the pane of fiftie schillingis, to be tane up for ilk falt be that persoun quhome the Quenis Majestie sall appoint, to be surelie kepit in box, to be disponit to the utilitie of the commoun service at command of the Quenis Majestie and hir Counsall.

Dalzell. Drumlangrik.

The quhilk day, it being complenit to the Quenis Majestie and Lordis of hir Secreit Counsall be Robert Dalyell of that ilk, how Johnne Dowglas in Erschemortoun, sone naturall to James Dowglas of Drumlangrik, Knycht, wes at hir Hienes horne for non desisting and ceissing fra the landis of Glenquhern, and for non finding of souertie to undirly the law for the slauchter of umquhile Williame Dalyell, as the

lettres and executionis thairupoun schawin befoir the saidis Lordis proportit; the Lordis of Secreit Counsall causit call the said James Dowglas, fadir to the said Johnne befoir thame, and, in hir Majesteis name and autorite, commandit and chargeit him that he sould serche, seik, tak, and apprehend the said Johnne Dowglas, his sone, and bring him to the Justice or his Deputtis to be puneist for his rebellioun, as he wald answer to hir Hienes upoun his uttermost charge and power in that behalf, and that becaus the said Johnne dwellis upoun the landis quhairof his said fadir hes ane xix yeir tak, with power to remove tennentis, and swa be vertew of his generall band mon answer for the said Johnne.

Apud Edinburgh, xxvij Novembris, anno Domini j^{m}v^{c}lxiiij°.

Donald Dow. Sorle M^{c}Conill.

In presence of the Lordis of Secreit Counsall comperit Andro Quheit, procuratour speciale constitut be Coline Campbell of Glenurquhy, and gaif in this band and obligatioun, subscrivit with the saidis Colinis handis and Sorle M^{c}Conill V^{c}Allane M^{c}Bane [who obliges himself to hold good rule, etc., in terms of minute 27th November,[1] Colin Campbell becoming cautioner, compearing to answer for charges on forty days' warning, under penalty 300 merks. Order of registration for execution, on consent]. In witness of the quhilk thing, I, the said Coline, hes subscrivit thir present lettres obligatouris with my hand at Balloch, the xiij day of November, befoir thir witnessis, Maister Johnne Cunynghame, James Ruthven, and Andro Quheit, notar publict.[2]

Apud Edinburgh, xiij die mensis Decembris, anno Domini j^{m}v^{c}lxiiij°.

Sederunt. Jacobus Dux de Chestellarault. Archibaldus Ergadie Comes. Jacobus Moravie Comes. Jacobus Comes de Mortoun, Cancellarius. Joannes Atholie Comes. Willelmus Marescalli Comes. Alexander Comes de Glencarne. Joannes Dominus Erskin. Patricius Dominus Ruthven. Secretarius. Thesaurarius. Computorum Rotulator. Clericus Justiciarie. Clericus Registri. Advocatus.

Maxwell. Grahame.

The quhilk day, anent the propositioun maid to the Quenis Majestie and Lordis of Secreit Counsall be Sir Johnne Maxwell of Terreglis, Knycht, Wardane of the West Marchis of this realme, towart the admitting and ressaving of George Grahame, sone to Richart Grahame, and Arthure Grahame, sone to Fergus Grahame, as Scottismen; efter the mater wes ressonit, and all motives and perswasionis quhilkis mycht be occasioun to furder or hinder the purpois wer considderit, the Quenis Majestie, with avyise of the Lordis foirsaidis, remittis the ordouring and handilling of the mater to the discretioun and jugement of hir said Wardane, and ordanis him sa to do thairintill as he findis maist convenient for the commoun weill of this realme.

[1] Above, p. 294.

[2] "☞ Actum suo loco omissum" [295].

Law. Hiegait.

The quhilk day, anent the complaint maid be James Law, ane of the Baillies of Glasgow, upoun Williame Hiegait, commoun clerk thairof, for the speking of diverse dispitfull and injurious wordis to the said James, manifestlie contempnand and vilipendand him, being Baillie and Magistrate, to quhome he aucht honour and reverence during the tyme of his office, as at lenth is contenit in the said James complaint; and anent the charge gevin to the said Williame to compeir befoir the Quenis Majestie and Lordis of hir Secreit Counsall this day, to answer to the samyn complaint, bayth the partiis comperand personalie, the said Williame denyit the said complaint, and thairfoir the saidis Lordis referris the samyn to the probatioun of the said James Law, and to that effect assignis to him, the tent day of Januare nix to cum, and ordanis him to haif lettres to summond sic witnessis as he will use for preving thairof agane the said day, undir the pane of rebellioun and putting of thame to the horne, with certificatioun to thame and thai failye, lettres salbe direct to put thame to the horne. Bayth the partiis warnit heirof apud acta.

Lochinvar. Campbell.

The quhilk day, anent the complaint maid to the Quenis Majestie and Lordis of hir Secreit Counsall be Johnne Gordoun of Lochinvar, and Alexander Campbell of Ary, his freind and servand, makand mentioun that quhair it is nocht unknawin to hir Hienes how Gilbert Erle of Cassillis on the ane part, and the said Johnne Gordoun on the uther part, ar actit and obleist in the bukis of adjornall for thame, thair kin, freindis, assistaris, and partakaris, to keip guid rewll in the cuntre, and on na wyise to mak ony convocatioun or troubill, undir greit panis, as the Actis maid thairupoun beris. Nochtwithstanding the quhilk, Uchrid Makdowell of Knokglass, Patrik Makdowell of Logane, guid sone to the Lard of Garthlone, freindis and dependentis upoun the said Erle of Cassillis, with convocatioun of the Quenis Majesteis liegis to the nowmer of xviij personis, all bodin in feir of weir, come to the landis of Knoktune, pertening to the said Alexander Campbell, upoun the penult day of November last bipast, and stoppit his plewch to gang, chaissis and dang his servandis that wer passand thairat, and did that wes in thame to haif rasit tumult and insurrectioun in the cuntre, incurrand thairthrow the panis contenit in the saidis Actis of Adjornall; and anent the charge gevin to the said Erle of Cassillis to compeir befoir the Quenis Majestie and Lordis foirsaidis this day to answer to the said complaint, as the samyn at mair lenth beris, the said Erle of Cassillis comperand personalie for himself, and Gathra Makculloch of Ardwell, and Roger Kirkpatrik servand to the said Lard of Lochinvar, comperand for him, and als in name and behalf of the said Alexander Campbell; thair allegeances and ressonis hard and considderit, the Lordis of Secreit Counsall ordanis the said Erle of Cassillis, of his awin confessioun and consent, to bring and present the saidis Uchrid Makdowell and Patrik Makdowell befoir the Quenis Majestie and thair Lordships, at Edinburgh, or quhair it sal happin thame to be for the tyme, upoun the xij day of Januare nix to cum, to ansuer to hir Hienes upoun the pointis of the

Erle Cassillis. Makdowell.

said complaint, as the said Erle wald undirly the charge and perrell that he may incur of hir Majestie in that behalf.

Apud Edinburgh, decimo nono die mensis Decembris, anno Domini j^m v^c lxiiij°.

Sederunt. Archibaldus Ergadie Comes. Jacobus Moravie Comes. Jacobus Comes de Mortoun, Cancellarius. Joannes Comes Atholie. Joannes Dominus Erskin. Patricius Dominus Ruthven. Secretarius. Thesaurarius. Computorum Rotulator. Clericus Registri. Clericus Justiciarie. Advocatus.

Cragywallace. Sir W. Hammilton.

The quhilk day, Sir Williame Hammiltoun of Sanchar, Knycht, for himself, —and Sir James Hammiltoun of Craufurdjohnne and Mathow Campbell of Lowdouin, Knychtis, as cautionaris and souerteis for him,—ar becum actit and obleist, conjunctlie and severalie, that the said Sir Williame, for himself, his kin, freindis, allia, men, tennentis, servandis, assistaris, and partakaris, and all that he may let, sall keip guid rewll and ordour in the cuntre, and on na wayis sall invaid, molest, or persew Johnne Wallace of Cragy, his kin, freindis, allia, men, tennentis, servandis, assistaris, and partakaris, in tyme cuming, be way of deid, undir the pane of fyve thowsand markis, and that according to the charge and command gevin to that effect; and the said Sir William obleist him and his airis to releif the saidis Sir James and Sir Mathow of the said cautioun, and all pane and danger that thai sall incur thairthrow, sic subscribitur Williame Hammiltoun of Sanchar, Knycht, Mathow Campbell of Loudoun, Knycht, Ja. Hammiltoun of Craufurd Johne, Knycht.

Apud Edinburgh, xx Decembris, anno Domini, etc. lxiiij°.

Sir W. Hammilton. Cragywallace.

The quhilk day, Hew Wallace of Carnale, and Williame Cunyı ghame of Craigans, as cautionaris and souerteis for Johnne Wallace of Cragy [become bound in the same terms as the sureties for Sir William Hamilton, for the space of three months], and als that the said Johnne, or sum of his freindis sufficientlie auctorizat be him, sall compeir befoir the Quenis Majestie and hir Secreit Counsall aucht dayis befoir the outrynning of the saidis thre monethis, and ressave and undirly sic commandment as than salbe gevin be thame.

Apud Edinburgh, xxj die mensis Decembris, anno Domini j^m v^c lxiiij°.

Sederunt domini ut in die predicto.

Memorandum towart Pharnyhirst.

The quhilk day, the Lordis of Secreit Counsall commandit and ordanit, that it sould be rememberit befoir Thomas Ker of Pharnyhirst Knycht be put to libertie furth of the Castell of Edinburgh quhair he presentlie remanis in ward, or ony lettre grantit to that effect, that first he satisfie and obey

the command of the lettres in the four formes, purchest be Andro, Commendatare of Jedburgh, aganis him for non payment of certane teindis, and that he obey the command of the lettres in the foure formes, purchest aganis him be Richert Dowglas, for non desisting of the landis of Castellwod, and further, that he satisfie the Quenis Majestie and hir Hienes Thesaurare for his escheit.

Memorandum towart Robert Ker of Wodhede.

The quhilk day, the Lordis of Secreit Counsall commandit and ordanit that it sould be rememberit befoir Robert Ker of Wodheid be put to libertie furth of the Tolbuyth of Edinburgh, quhair he remanis presentlie in ward, or ony lettre grantit to that effect, that he obey and satisfie the command of the lettres in the foure formes purchest aganis him be Andro Ker of Fawdounsyde, and als that he caus Johnne Hold, James Hold, and Sir Johnne Hendirsoun, his tennentis and houshaldmen, presentlie the Quenis Majesteis rebellis, be enterit in ward within the Tolbuyth of Edinburgh, and forder, that he satisfie the Quenis Majestie and hir Thesaurare for his escheit.

Memorandum towart John Gordon of Barskeoch.

The quhilk day, the Lordis of Secreit Counsall commandit and ordanit that it sould be rememberit befoir ony relaxatioun wer grantit to Johnne Gordoun of Barskeoch, his sone and complices, callit and at the horne for the hurting of Robert Forester, burges of Kirkcudbrycht, that first the Thesaurare be satisfeit for thair eschetis.

Drumkilbo. Bischop of Murray.

The quhilk day, anent the complaint maid be David Tyrie of Drumkilbo, makand mentioun that quhair Thomas Abircrummy, havand lyferent for him and ane air of the steding of Pettelpie, of the Commendatare and Convent of Scone, disponit the samyn lyferentis twa yeir syne to the said David, and be vertew thairof he hes bene in continewall and peccable possessioun of the said steding be occupatioun thairof, with hir awin propir gudis sensyne, and yit is lyke as the said Thomas and his predecessouris wer in continewall possessioun of the samyn of befoir, past memor of man. For the quhilk dispositioun maid be the said Thomas to the said David, of the saidis lyferentis, he deliveris to him greit soumis of money, quha sensyne gaif his kyndnes, licence, and guid will to the said David, to tak the samyn in few, heretabillie to him and his airis, and surrogat him in the place of the said Thomas, quhairby the said David is in the rowme of him the auld kyndlie native possesour thairof; and thairthrow aggreit finalie with the Bischop of Murray, Commendatare of Scone, in July last bipast, for the few of the samyn landis, for sic soumis as thai convenit upoun, and causit the said David to present ane charter, to be selit and subscrivit, with the quhilk the said Bischop stuid content. Nocht the les he sensyne, be the persuasioun of sum wickit personis, hes, as the said David is informit, set and disponit the few of the saidis landis owir his heid, bayth contrair the Actis of Parliament and the said Bischopis awin promeis and fayth, quhilk few is annullit be the last Actis of Parliament, be ressoun the

samyn is laitlie set within this half yeir last bipast; humelie thairfoir requirand that sic ordour mycht be put as the said David sould nocht be prejugeit, and to stop all confirmatioun to be grantit of the said pretendit few, lyke as at mair lenth is contenit in the said complaint. The Lordis of Secreit Counsall commandit and ordanit that at the confirmatioun of the lait set fewis this caise be rememberit on, to the effect triall and ordour may be takin thairanent as appertanis; and gif ane confirmatioun sal happin to be grantit heirupoun, that the Thesaurare stay the samyn unpast his register quhill the said ordour and triall be tane, or quhill he haif ane speciall command to pas the samyn, kepand this present Act subscrivit be the Clerk of Counsall for his warrand.

Lady Pharnyhirst.

The quhilk day, anent the complaint maid be Dame Kathrene Ker, Lady Pharnyhirst, makand mentioun that quhair the Quenis Majestie and Lordis of hir Secreit Counsall, for certane considderationis moving thame, causit certane officiar of armes to teind the landis of Ovir Craling, and to stak and arrest the teind schaves thairof to be furthcumand to thame havand rycht thairto, lyke as at mair lenth is contenit in the said complaint. The Lordis of Secreit Counsall, having sene and considderit the tak and assedatioun of the saidis teind schaves maid to the said Dame Kathrene, ordanis lettres to be direct to officiaris of the Quenis, shereffis in that part, chargeing thame to pas and lowse the said arreistment maid upoun the saidis teind schaves of Ovir Craling, swa that the said Dame Kathrene, be hirself and hir servandis in hir name, may intromet thairwith, and dispone thairupoun at hir plesour, the said Dame Kathrene findand sufficient cautioun and souertie to do thairfoir to all partiis as the law requiris.

Lady Pharnyhirstis obligatioun.

The quhilk day, Dame Kathrene Ker, relict of umquhile Johnne Ker of Pharnyhirst, Knycht, producit ane tak maid be Andro, Commendatare of Jedburgh, to hirself during hir liftyme, and eftir hir deceise to Sir Thomas Ker, now of Pharnyhirst, Knycht, hir sone, of the teind schaves of the landis of Ovir Craling for the space of fyve yeris, as the samyn at mair lenth beris, and obleist hir that in na tyme to cum schö sould mak ony rycht, titill, or dispositioun of the saidis teind schaves, nor of hir takkis thairof, or ony interes, kyndnes, or possessioun quhilkis schö hes to the samyn by the said Sir Thomas hir sone, and presentlie interdytis hir self thairfra, swa that eftir hir deceise he may quietlie entir to the possessioun thairof, lyke as schö nevir had obtenit tak or assedatioun of the samyn, but ony restrictioun to be imput to him for ony soumis of money payit be hir for the said tak contenit in the samyn. In witnes of the quhilk, the said Dame Kathrene hes subscrivit the said Act, with hir hand on the pen led be the notar underwrittin, day, yeir, and place foirsaidis, befoir thir witnessis, Andro Ker, Sir Andro Anyslie, and Adame Moscrop, notar publict, with utheris diverse. Sic subscribitur, Dame Kathrene Ker, Lady Pharny-

hirst, with my hand at the pen led be Adame Moscrop, notar. Ita est Adamus Moscrop, notarius publicus, de mandato prescripte Catherine teste manu propria.

Makconil. Cuninghame. The quhilk day, the Lordis of Secreit Counsall decernit and ordanit James Makconill of Dunnyveg and Glennis, of his awin consent and confessioun, to content and pay to Johnne Cunynghame, burges of Air, the soum of twenty pundis usuale money of Scotland, and that in full and compleit payment of the said Johnnes part and portioun of the gudis intromettit with be the said James servandis in the boit liand at Garvellane, in the Mule of Galloway, for the tyme in the moneth of November or thairby, the yeir of God j^{m}v^{c}lxiiij yeris, and of all skayth and dampnage that the said Johnne hes sustenit thairthrow; and that the said James pay the said soum betwix this and the first day of Februare nix to cum, and that lettres be direct heirupoun, gif neid be, in forme as efferis.

Admonitioun to the Lard of Johnston. The quhilk day, Johnne Johnnestoun of that Ilk, being callit in presens of the Lordis of Secreit Counsall, it wes declairit to him how he, be himself and his twa sonnis, upoun verray wilfulnes, remanit at the horne, rydand planelie in the cuntre with jakkis and speris, boistand the trew men, how he manteinyt Gibbe Johnnestoun of Powdene, fugitive fra the lawis for steling and fyre rasing; how he refusit to bring him to the Wardane, being apprehendit in the said Johnnes awin hous, and he being requirit thairto be the said Gibbeis fadir, quhome aganis he beris grudge; how he wald haif sauffit the sone of ane theif, being his tennent, unjustifiit, allege- and the theiffis sone to be his awin; how he berris querrell aganis the slayaris of the said thief; how he haldis thevis dwelland on his landis, and usis the counsall of the maist commoun thevis and brokin men in the cuntre, sufferis resset, passage and intertenyment of thevis to be within thre or four mylis to his hous, but fray or stop maid to thame; how he preissit to marie his dochtir with Edward Irewing of the Boneschawis sone; and finalie wes displesit with all guid ordour, as his lyff and doingis did weill declair. The answeris and excusis of the said Johnne being hard, and the saidis Lordis avysit thairwith, thay, in the Quenis Majesteis name and autoritie, straitlie commandit and chargeit the said Johnne Johnnestoun, personalie present, that he, without delay, obey the lawis, satisfie all partiis offendit unto be him and his sonnis, and get him and thame relaxit fra the horne; and als that he entir the said Gibbe Johnnestoun, challengit with him, to the Wardane, that he tak sic ordour within his boundis as this plane thift and resset thairof be nocht usit, bot his rowmes kepit in guid obedience sen thai ar far fra the Bordouris, and that he on na wayis allyat his dochtir with the said Edward Irrwingis sone; certifiand and assurand him gif he failzeis herein, the Quenis Majestie will sa vigorouslie puneis him for his offence that the West Marchis sall tak exempill thairof,

quhilk sall nocht onelie extend to his awin skayth, bot his hous sall nevir forget it; and the said punisment presentlie is rather omittit upoun hir Hienes clemencie, and at the humill sute of hir Majesteis Wardane of the saidis Marchis, to the end he mycht be presentlie hard, nor his lyff and bigane deservingis hes meritit; and that hir Hienes thinkis na difficultie to caus puneis. and inbring ony of hir subjectis, and thairfoir ordanit the said Johnne to avyise upoun his rychttis, with wysemen in Edinburgh, quhill the first day of Januare nix to cum; to the quhilk day it salbe lesum to him sauflie to resort thairin, certifeand him, mairowir, gif that he relaxis nocht himself and his sonnis betuix and the first day of Februar nixt, than lat him luke for na uther favour bot to be repute, haldin, and persewit as a rebellious, wickit, and dissobedient persoun, and to be puneist thairfoir accordinglie.

Closburne.

The quhilk day, anent the supplicatioun presentit be Roger Kirkpatrik of Closburne, makand mentioun that quhair he rasit our Soverane Ladiis lettres aganis Edward Irrwing of Boneschaw, Johnne Carrutheris, George Carrutheris his sone and apperand air, Williame Bell of Albe, Harbart Irwing, and thair complices, to haif undirlyne the lawis at ane certane day bipast, for certane crymes committit be thame, and fand Sir James Hammiltoun of Craufurdjohnne Knycht, souertie to the Justice Clerk and his Deputtis for agane bringing of the saidis lettres execute and indorsat at the day appointit. Nocht the les, be counsale and advyse of Sir Johnne Maxwell of Terreglis Knycht, Wardane of the West Marchis, in hoip of aggreance and commoning to stanche and aggre greit inconvenientis that mycht haif happynnit thairthrow in the cuntre, the executioun of the saidis lettres wer delayit, swa that the samyn mycht nocht be brocht agane, execute and indorsat, at the day quhairthrow the samyn is bipast, and the said Sir James wes unlawit in the soum and pane of ane thowsand markis, as in the said supplicatioun at mair lenth is contenit. The Quenis Majestie, undirstanding the narratioun of the said supplicatioun to be trew, hes remittit and dischargeit, and be the tennour heirof remittis and dischargis the said pane and unlaw, ordaining hir Hienes Thesaurare, present and to cum, to desist and ceise fra all craving, ressaving, or poinding for the said unlaw in tyme to cum, dischargeing thame thairof and of thair office in that part, and ordanis this present discharge to be actit in the bukis of Secreit Counsall ad perpetuam rei memoriam, and that the Thesaurare keip the extract of the samyn, attentiklie subscrivit be the Clerk of Counsall, for his warrand.

Apud Edinburgh, xxv die mensis Decembris, anno Domini j^{m}v^{c}lxiiij^{o}.

The quhilk day, the Lordis of Secreit Counsall commandit and ordanit that it sould be rememberit quhenevir thair sal happin to pas ane ambassatour or

messenger to Ingland, that thair be ane speciall article maid in his instructionis, tuicheing David Ramsayis schip of Dunde, callit the Grace of God, als the Prymroise stayit in laste raid.

Apud Edinburgh, penultimo die mensis Decembris, anno Domini j^{m}v^{c}lxiiij°.

Sederunt. Archibaldus Ergadie Comes. Jacobus Moravie Comes. Secretarius. Thesaurarius. Computorum Rotulator. Clericus Justiciarie. Clericus Registri.

Barnard Byre, Dutcheman.

The quhilk day, the Quenis Majestie and Lordis of hir Secreit Counsall, undirstanding how that eftir Peris de Freris, capitane of ane schip of Deip, callit the Neptune, in the moneth of Julij, the yeir of God j^{m}v^{c}lxiij yeris, arryvit in the port and hevin of Brint Iland, and brocht in the said schip the gudis undirwrittin. That is to say, twa ballis of blak furring of buge, contenand xviij mantillis; thre grene cairsayis, contenand fourty fyve elnis; sevin grene wobbis, contenand four scoir auchtene elnis; ane blew wob, contenand twenty twa elnis twa quarteris; ellevin blew cairsayis, contenand ane hundrith fourty thre elnis; sex pece of broun and tanne clayth, extending to four scoir aucht elnis; ane steik of reid cairsay, contenand fyftene elnis; ane steik of reid clayth, contenand xiiij elnis; twa stekis of quhyit cairsay, contenand thretty twa elnis; sevintene pece of stemmyng, contenand ane hundrith thre scoir ellevin elnis; elleven pecis of blak, contenand ane hundrith thre scoir ellevin elnis; xij mailye coittis; xi lesert skynnis; fyve paintit claythis of the forborne sone; twa faddome of unblechit Holand clayth; ane culvering; ane reidcoit; lxxxxvi stringis to hattis of diverse cullouris; thre stekis of cambrige; ane pece of blak dinnostage; four rollis of Holland clayth, contenand fourty four elnis; ane goun of drogat, lynit with martrikis, begareit with velvot; ane gown, lynit with toddis of blak, begareit with velvot; ane pair of almany stokkis of blak sating, drawin out with taffateis; ane lytill knok, with ane walknar ouregilt; twa lytill polkis of ginger, weyand thre pund wecht; ane lytill polk of peppir, weyand twa pund wecht; and ane cowip of silver dowbill ouregilt, with ane cover peirlit with cristallyne within, weyand twa pund and ellevin unce wecht; and becaus hir Majestie and Lordis foirsaidis wer suirlie informit and perswadit that the saidis gudis wer takin be the said Pierie and his complices as pirattis in piracie, hir Hienes Thesaurare, at hir command, intromettit thairwith, quhilk Andro Hendirsoun, his clerk, hes continewalie sensyne kepit the samyn efter that the said Pierie fering to be persewit departit; and supplicatioun being gevin in and presentit to hir Majestie and Lordis foirsaidis be Barnard Byre, in Danskin, procuratour substitute to Henry Byre, his bruther, in Hull, dwelland in Ingland, principall procuratour constitute to Johnne Van Homell, Johnne Van Achelen, Johnne Cordes, Martine Vanderbrute Court Van Boebert, Bonanenture Bodeker, Cristopher Suappell, all dwelland in Antuerpe, Nicholace Phderbin, Gerard Tymmerman, Mathow

Crop, and Johnne Pretour, dwelland in Danskin, allegeand the saidis gudis to pertene to thame, and reft and takin fra thame and thair servandis in thair names on the seyis, desyrit the saidis gudis to be deliverit to thame as awnaris thairof. Hir Majestie, with avyise of the saidis Lordis gaif command to hir Thesaurare to deliver the saidis gudis to the said Barnard, procuratour foirsaid, he findand cautioun in maner following. And thairfoir David Forester and Robert Ker, burgessis of Edinburgh, band and obleist thame to hir Hienes that all and sindry the gudis abonespecifiit deliverit be the said Thesaurare, in maner foirsaid, and being in thair handis, sould remane within this realme, undisponit, delapidat, or put away in ony sort, unto the tyme sufficient testimoniall, testificatioun, and approbatioun wer brocht furth of the toun of Antwerpe fra the Magistrattis and Counsall thairof, verifeing and testifeing that the samyn gudis pertenis to the awnaris abonespecifiit, and to warrand, freith, releif, and keip hir Hienes, hir Thesaurare, his clerk, this realme and subdittis thairof, harmeles and skaythles of the samyn, at the handis of all maner of persoun or personis. And als bring sufficient acquittance and discharge fra the saidis awnaris of the resset thairof, gevand power to the said procuratour or substitute to ressave the samyn, as at mair lenth is contenit in the said obligatioun, actit and registrat in the bukis of Counsall and Sessioun, of the dait the threttene day of Marche the yeir of God j^{m}v^{c}lxiii yeris. Eftir the quhilk, the said Barnard Byre brocht and producit to the Quenis Majestie and Lordis of hir Secreit Counsall foirsaid, diverse lettres fra the Burromaisteris, Scabuns and Counsalouris of the toun of Antwerpe; and last of all the patent lettres of the same toun undir the seill of caussis thairof, daitit upoun the thrid day of August last bipast, makand mentioun that the saidis Bonanenture Bodeker and Conradt Van Boekert, marchantis of the natioun of the Dutch Hanze, dwelland in Antwerp, comperand befoir the burromaisteris, scabuns, and counsalouris thairof, had declarit how thai in somer, the yeir of God j^{m}v^{c} sextie thre yeris, causit ladin in the same toun, in the schippis of Richert Classons and Johnne Moors, certane gudis and merchandices, at lenth specifiit and contenit in the saidis lettres, with the markis of the gudis upoun the margent thairof. Quhilkis gudis and marchandices, in the way passand towart Danskin, wer spulyeit and awaytakin furth of the saidis schippis be way of piracie, of the quhilkis gudis and merchandices sevintene cairsayis and fyve stekis of uttir fyne, wer recovrit in the realme of Scotland, markit with this mark and uther xix stekis of uttir fyne, quhairof the ledis and markis ar takin away; and xviij mantillis of furring, quhilkis gudis the saidis Bonanenture Bodeker and Conradt Van Boekert causit to be persewit. And in the prosequitioun thairof, the materis cumin to that end, that the saidis gudis ar put, be inventure, in the handis of certane cautionaris, quhilk will nocht restoir and deliver the samyn without cautioun and souertie, and thairfoir the saidis Bonanenture and Conradt hes promittit that thai sall freith, releif, and keip the Quenis Majestie, hir

counsalouris, the saidis cautionaris, and utheris quhatsumevir, harmles, fre, and skaythles, at the handis of all personis for evir, of all molestationis, greif, actionis, and inquietationis quhilkis may be movit and intentit aganis thame be quhatsumevir maner of personis, be ressoun or throw caus of the saidis gudis, oblissand mairowir thair personis and all thair gudis, movabill and unmovabill, present and to cum, to that effect, but fraud or gyle. Quhilkis lettres being sene and considderit be the saidis Lordis, and thai ryplie avysit thairwith, undirstanding that the saidis gudis and merchandices hes now remanit in this realme answerabill to all personis that wald clame thame be the space of ane yeir and foure monethis, and that nane hes acclamit the samyn hiddertillis bot onelie the said Bernard quha sufficientlie auctorizit with commissioun, undir the seill of the said toun of Antwerpe, hes alwayis maid sute thairfoir; and the saidis Lordis na wyise willing to call in doubt the autoritie and credit of the saidis lettres and testimoniall, being sa weill knawin, bot rather mynding that all strangearis, freindis, and confideratis of this realme, specialie of the said citie, find all favour and benevolence that possible may be schawin to thame; decernis, ordanis, and commandis the saidis Robert Ker and David Forrester, cautionaris abonewrittin, that thai incontinent, realie and with effect, deliver to the said Barnard Byre, procuratour foirsaid, the saidis sevintene cairsayis, and fyve stekis of uttir fyne markit with the said mark as said is, togidder with the saidis uther xix stekis of uttir fyne wantand the markis and ledis, and xviij mantellis of furring, to be transportit hame be him or utherwyise usit to the behuif and utilitie of the marchandis, awnaris thairof, as he best plesis; the said Bernard gevand ane sufficient acquittance and discharge upoun the ressait thairof, quhilkis salbe als sufficient warrand and releif to the saidis cautionaris as gif the samyn acquittances wer maid, gevin and deliverit be the awnaris of the saidis gudis thameselffis; and as anent the superplus and remanent of the clayth abonewrittin, togidder with the saidis mailye coittis, xi lesert skynnis, fyve paintit claythis, twa faddome of unblechit Holand clayth, ane culvering, ane reid coit, lxxxxvi stringis to hattis, thre stekis of camerage, ane pece of blak dinnostage, four rollis of Holand clayth, ane gown of drogat, ane gown of blak, ane pair of almany stokkis, ane lytill knok with ane walknar, twa lytill polkis of ginger, ane lytill polk of peppir, extending to the quantitie abonewrittin, togidder with the said silver cowip; the saidis Lordis ordanis the saidis David and Robert, cautionaris abonewrittin, still to retene and keip the samyn in thair handis as of befoir, ay and quhill the said Barnard, or utheris havand interesse, report and bring sufficient testimoniall, berand the gudis abonewrittin to be thair propir gudis and marchandices, with power to ressave the samyn, gif acquittance thairof, and to warrand and keip the Quenis Majestie, hir realme and liegis, skaythles of the samyn, at all hands as efferis, and that the saidis cautionaris have hir Hienes and hir Counsallis commandment to deliver the samyn.

Primo die mensis Januarii, anno Domini j^{m}v^{c} sexagesimo quarto.

Sederunt. Jacobus Moravie Comes. Archibaldus Ergadie Comes. Jacobus Comes de Mortoun, Cancellarius. Joannes Atholie Comes. Joannes Dominus Erskin. Patricius Dominus Ruthven. Secretarius. Thesaurarius. Computorum Rotulator. Clericus Justiciarie. Clericus Registri. Advocatus.

Erle of Ergil Garthlone.

The quhilk day, Sir Hew Kennedy of Girvanmanis, Knycht, comperand in presens of the Lordis of Secreit Counsall, oblist him to present Jane Campbell, ane of the airis of Corswell, befoir the Quenis Majestie and Lordis foirsaidis at Edinburgh, or quhair it sal happin thame to be for the tyme, upoun the last day of Januare instant, in siclike stait and conditioun as schö wes the tyme that Uchrid Makdowell of Garthlone wes chargeit to present hir be Robert Campbell, messenger, within the burgh of Air, upoun the xxij day of December last bipast, within thre dayis nixt eftir the charge, be vertew of oure Soverane Ladiis lettres undir hir Hienes subscriptioun and signet. And becaus the said Uchrid failyeit thairintill, he is put to the horne be vertew of the same lettres as thai and thair executioun beris; and in caise the said Sir Hew failye to present the said Jane upoun the last day of the said moneth of Januare, as said is, he is content, and consentis that lettres be direct simpliciter to put him to the horne; and thairfoir the saidis Lordis of Secreit Counsall ordanis lettres to be direct to relax the said Uchrid Makdowell of Garthlone fra the proces of horne led upoun him in the said mater, restoir him to oure Soverane Ladiis peace, and gif to him the wand thairof, unto the ferd day of Februar nix to cum, without prejudice of the charge and executioun of horning led aganis him be vertew of the saidis lettres of befoir, becaus Archibald Erle of Ergyle, our Soverane Ladiis donatour to the said Janis ward and mariage, consentit thairto.

Makconil. Makclane.

The quhilk day, in presence of the Lordis of Secreit Counsall, William Boysoun, maser of the Counsall, at thair command, in our Soverane Ladiis name and auctoritie, commandit and chargeit James M^{c}Conill of Dunnyveg and Glennis, and Hector M^{c}Clane of Dowart, to remane within the burgh of Edinburgh, and on na wayis to depart furth of the samyn unto the tyme thai maid securitie upoun the fulfilling of sic injunctionis as sould be imput to thame, under the pane of tressoun.

Apud Edinburgh, tertio die mensis Januarii, anno Domini j^{m}v^{c}lxiiij^{o}.

Makclane Dowart. Makclane of Coill.

The quhilk day, anent the complaint maid be Hector M^{c}Clane elder of Coill, upoun Hector M^{c}Clane, youngar of Dowart, sone and apperand air to Hector M^{c}Clane eldar of Dowart, his fadir, makand mentioun that

quhair the said Hector, youngar, and Johnne M°Clane, his bruther, with avyise and consent of the said Hector M°Clane, eldar, thair fadir, with thair servandis and complices, and utheris in thair names, of thair causing, command, assistance, and ratihabitioun, in the moneth of August, the yeir of God j^{m}v^{c}lxi yeris, violentlie spulyeit, intromettit with, and awaytuk fra the said Hector of Coill, his servandis and tennentis, the gudis and geir undirwrittin, pertening to thame the tyme of the spoliatioun thairof; he being absent for the tyme out of his awin cuntre within the toun of Edinburgh, doand his lefull besines, thair beand ane band and contract betuix him and the said Hector M°Clane of Dowart, befoir his departing to the Lawland, quhilk Hector of Dowart promeissit befoir honest and famous witnessis to keip, manteine, and preserve the said Hector of Colis landis, rowmis, heretages, gudis, and geir unto his hame cumming agane, as the saidis personis witnessis can testifie. Nevirtheles, the said Hector M°Clane, youngar of Dowart, with his complices foirsaidis, for non obeying, serving, and ganging with thame to sic herschippis, slauchteris, and utheris inconvenientis as thai wald command and charge the said Hector of Coill with quhensoevir thai plesit, hes, incontrair all appointmentis, bandis, and promeissis maid to him be thame as said is, crewallie, maisterfullie, and perforce cumin within his landis undirwrittin the time of his absence foirsaid, and hes reft, spulyeit, and tane away his hors, cattell, nolt, scheip, gaittis, and uther bestiall, with the haill victuall, gudis, and geir thai could apprehend, extending in the haill to the soum of four thowsand markis or thairby. Quhilkis gudis and geir abonewrittin wes nocht onelie spulyeit fra the said Hector of Coill, bot alswa fra his pouer servandis and tennentis, indwellaris within the saidis landis, swa that thai ar alluterlie heriit and put to extreme povertie thairthrow; and siclike tuk away his stewartis, officiaris, and utheris his pouer tennentis and servandis captives to thair ground and landis, put thame in ward and presoun, and causit and compellit thame, as thoch thai had bene ennemeis and evill doaris, pay tribute and ransoum to the saidis Hector, youngar of Dowart, his bruther, and thair servandis and complices as thai thocht expedient; and be thair greit extorsioun will nocht suffir the said Hector of Colis pouer tennentis and servandis leif peccable in thair awin cuntre, nor labour and manure thair awin stedingis, nowther day nor nycht, nor yit his landis of thair rowme of Auchelenane and Drummine, with thair pertinentis, extending to xx ℔. land of auld extent. And swa the saidis landis lyis and hes lyne waist continewalie sensyne; and the saidis Hector, youngar of Dowart, his bruther and thair complices, lyis and remanis within the saidis landis, awaytand dalie upoun the saidis pouer tennentis and servandis slauchtir, swa that thai ar dalie and nychtlie undir greit danger and feir of thair lyffis, bayth men, women, and children. And scarslie gif the said Hector of Coill dar meyn ta the Quenis Majestie, or call or persew the said Hector thairfoir befoir the Lordis of Sessioun, becaus of his creweltie and tyranne, quhilk he will use aganis the said Hector of Coill and his servandis and tennentis foirsaidis. And it is of veritie that he aucht him na

service, nor haldis na landis of him bot of the Quenis Majestie onelie, he being ane fre barroun as ony utheris within hir Hienes realme, and sould nocht be subject nor compellit to serve the said Hector of Dowart, nor ony utheris bot hir Grace and hir Lieutennentis quhome hir Majestie pleissis to constitute. And siclike, becaus the said Hector of Coill dar nocht persew nor call the said Hector of Dowart befoir the Lordis of Counsall for the oppressioun, herschip, and spoliatioun quhilk he hes committit aganis the said Hector of Coill and his tennentis foirsaidis, nor yit cum to complene to the Quenis Majestie thairof, for feir of tinsall of all the rest of his landis, he thocht guid to send Hector M^c^Clane, youngar of Coill, to hir Hienes to complene of the greit oppressioun and herschip abonewrittin, and schaw that the said Hector of Dowart will nocht compeir befoir ony juge or jugeis within this realme, bot befoir hir Majestie onelie, as the said Hector of Coill allegis, lyke as at mair lenth is contenit in the said complaint. And anent the charge gevin to the said Hector M^c^Clane of Dowart, eldar, to compeir befoir the Quenis Majestie and Lordis of hir Secreit Counsall in hir Hienes chekker this day, to ansuer to the samyn complaint, the said Hector M^c^Clane of Coill, eldar, comperand be the said Hector M^c^Clane, his sone, and Maister Richert Strang, and the said Hector M^c^Clane of Dowart, eldar, comperand personalie with Maister Alexander Mauchane, his procuratour; thair ressonis and allegationis hard and considderit be the saidis Lordis, and thai ryplie avysit thairwith, the saidis Lordis of Secreit Counsall remittis the decisioun of the saidis materis of herschip, spulze, and wrang to the decisioun and jugement of Archibald Erle of Ergyle, Lord Campbell and Lorne, etc., Sheref of Tarbert, within quhais jurisdictioun bayth the saidis partiis dwellis, and ordanis thame to persew or defend befoir him or utheris ordinar jugeis as thai will be servit, and him to minstrat uprycht and equall justice to thame, as he will answer to God and the Quenis Majestie thairupoun. And mairowir, the saidis Lordis, in hir Hienes name and auctoritie, straitlie commandit and chargit the said Hector M^c^Clane, eldar of Dowart, personalie present befoir thame,—that he, be himself, the said Hector, youngar, and Johnne, his sonnis, and all utheris, his servandis, men, tenentis, assistaris, and partakaris,—on na wayis tak upoun hand, privatlie or opinlie, to do oppressioun, molestatioun, greif, injure, vexatioun, troubill, invasioun, or inquietatioun to the said Hector M^c^Clane of Coill, his barnis, tennentis, and servandis in thair personis, landis, rowmes, possessionis, and gudis, be force and way of deid, in tyme cuming, swa that thai may quietlie leif, brouke, and enjoy thair landis, rowmes, and gudis, and the said Hector of Coill serve the Quenis Majestie our Soverane according to his dewitie, but feir of crueltie or oppressioun, as the said Hector of Dowart wald answer to hir Hienes upoun his allegeance, and undir all hieast pane and offence quhilk he may incur aganis hir Grace in that behalf.

Apud Edinburgh, quinto die mensis Januarii, anno Domini j^m v^c lxiiij°.

Sederunt. Archibaldus Comes Ergadie. Jacobus Comes Moravie. Jacobus Comes de Mortoun, Cancellarius. Joannes Atholie Comes. Joannes Dominus Erskin. Patricius Dominus Ruthven. Secretarius. Thesaurarius. Computorum Rotulator. Clericus Justiciarie. Clericus Registri. Advocatus.

Ker. Turnbull. The quhilk day, Williame Kirkcaldy of Grange Knycht, band and obleist him that Robert Ker of Wodheid sould remane in ward within the Tolbuyth of Edinburgh, and on na wayis sall eschew furth of the samyn, ay and quhill he present Sir Johnne Hendirsoun, Johnne Hold, and James Hold, our Soverane Ladiis rebellis, befoir the Quenis Majestie and Lordis of hir Secreit Counsall, and that the said Robert be fred be our Soverane Lady, undir the pane of fyve hundreth markis.

Apud Edinburgh, xiij die mensis Januarii, anno Domini j^m v^c lxiiij.

Sederunt. Domini ut in die predicto.

Obligatio M^cConil. In presence of the Lordis of Secreit Counsall comperit James M^cConill of Dunnyveg and Glennis, with his cautionaris undirwrittin, and gaif in this band and obligatioun, subscrivit with thair handis, and desyrit the samyn to be actit and registrat in the bukis of Secreit Counsall to haif the strenth of ane act and decreit of the Quenis Majestie and Lordis thairof, and lettres and executoriallis to be direct thairupoun, gif neid be, eftir the tennour thairof; quhilk desyir the saidis Lordis thocht ressonabill, and thairfoir ordanis the said band and obligatioun to be actit and registrat in the saidis bukis, to have the strenth of ane act and decreit as said is, and lettres and executoriallis to be direct thairupoun, gif neid be, in forme as efferis. Of the quhilk obligatioun the tennour followis:—Be it kend till all men be thir presents lettres, me, James M^cConill of Dunnyveg and Glennis, to be bundin and obleist, and be the tennour heirof bindis and obleissis me, that I sall keip guid rewll and ordour in the cuntre, be myself, my sonnis, brethir, men, tennentis, servandis, and assistaris, and on na wayis sall molest or persew ony of oure Soverane Ladiis leigis in thair bodiis, landis, possessionis, and gudis be force and way of deid in tyme cuming. Reservand and exceptand to me alwayis the just defence and protectioun of myself, my sonnis, brethir, men, tennentis, servandis, and my assistaris; and gif I failye heirin, bindis and obleissis me that I sall compeir befoir our Soverane Lady and Lordis of hir Secreit Counsall quhen and quhair it sall pleis hir Majestie, upoun xl dayis warning to be maid to me, to ansuer to all thingis that may be laid to my charge, undir the pane of ten thowsand pundis; and for my entre at the tyme and place foirsaid, undir the said pane, ar becum souertie and cautioun James Stewart of Down, Colene Campbell of Buchane, Knychtis, James Striviling of Keir, Sir Hew Kennedie of Girvanmanis Knycht, and James Campbell of

Arkynglas, conjunctlie. Attour, we ar content and consentis that thir oure lettres obligatouris be actit and registrat in the bukis of Secreit Counsall, to have the strenth of ane act and decreit of the Quenis Majestie and Lordis thairof, and lettres and executoriallis to be direct thairupoun, gif neid be, in forme as efferis. And for acting and registering of the samyn in the saidis bukis, we haif maid, constitute, and ordanit, and be the tennour heirof makis, constitutis, and ordanis, etc., conjunctlie and severalie, our procuratouris in uberiori forma, promittand de rato; providing alwayis that quhen my Lord of Cassillis gevis his obligatioun in maner foirsaid as souertie for me, and beis actit in the saidis bukis, or that I, the said James, enteris my awin body, quhilk I faythfullie obleessis and promittis to obtene or do, betwix and the first day of Maij nix to cum, that the utheris souerteis foirsaidis be relevit and dischargeit of this band. And Archibald Erle of Ergyle obleissis him and his airis to releif the saidis cautionaris of this present band and obligatioun, and of all pane and danger that thai sall incur thairthrow. And I, the said James M°Conill, obleissis me and my airis to releif the said Erle and his airis of the samyn obligatioun. In witnes heirof I, togidder with my saidis cautionaris and souerteis, hes subscrivit thir oure lettres obligatouris with oure handis as followis: At Edinburgh, the xiij day of Januare, the yeir of God j^{m}v^{c}lxiiij yeris. Sic subscribitur, Archibald Ergyle, James M°Conill of Dunnyveg, James Stewart, Coline Campbell of Buchane Knycht, James Striviling of Keir, Hew Kennedie of Girvanmanis Knycht, James Campbell of Ardkinglass.

Exemptio Domini Lindsay.

The quhilk day, Andro, Erle of Rothes, consentit that Patrik Lord Lindesay, for himself, his brether, barnis, househald men, tennentis, and servandis dwelland on his landis be exemit fra the jurisdictioun of schereffschip of the said Erle of Rothes; and als that the Maistir of Sinclair, the Lardis of Balvard, Craighall, Kynneir, Abbottishall, Lundy, Cammo, Farny, Torry, Ardrosse, Tutour of Balcassy, Gordnishall, Dudingstoun of Sandfurd, David Lindesay of Kirkforthir, David Lindesay of Pyotstoun, Alexander Lyndesay of the Mont, David Sibbald of Lethame, David Schethim of Skelpy, and Williame Ballingall of that Ilk, salbe likewyise exemit fra the said jurisdictioun, quhill the pronunciatioun of the decreit arbitrall betuix the saidis Erle and Lord, swa that the saidis personis, owthir be thame selffis or be thair procuratouris and hand writtis, send to the scheref clerk of Fyff and desyir the said exemptioun.

Apud Edinburgh, decimo quinto Januarii, anno Domini j^{m}v^{c}lxiiij.

Sederunt. Domini ut in quinto die hujus mensis.

Campbell. Gordoun. Makdowell.

The quhilk day, anent the terme assignit to Gilbert Erle of Cassillis, to bring and present befoir the Quenis Majestie and Lordis of hir Secreit Counsall Uchtrid Makdowell of Knokglass and Patrik Makdowell of Logane, to answer to the complaint maid be Johnne Gordoun of Lochinvar

and Alexander Campbell of Ary, his freind and servand, tuicheing the making of convocatioun and tumult contrare the tennour of the said Erlis band, actit in the bukis of adjornall, incurrand thairthrow the panis contenit in the samyn; comperit the said Alexander Campbell on that ane part, and the said Uchrid Makdowell of Knokglass on the uther part. And the said Erle being oftymes callit and nocht comperit, the Lordis of Secreit Counsall continewis the said mater in the samyn forme, force, and effect as it is now, but prejudice of partie, unto the aucht day of Marche nix to cum; and ordanis lettres to be direct to summond sic witnessis as the said Alexander Campbell will use for preving of the pointis of the said Alexanderis complaint agane the said day, undir the pane of rebellioun and putting of thame to the horne. And als to charge the said Gilbert, Erle of Cassillis, yit as of befoir, to bring and present befoir the Quenis Majestie and Lordis foirsaidis, the saidis day and place, the saidis Urchid Makdowell and Patrik Makdowell, to answer to the said complaint, eftir the forme and tennour of the said charge gevin to him of befoir, undir the pane of rebellioun and putting of him to the horne, with certificatioun to him and he failyie, the said day being bipast, he salbe put to the horne.

Kerris towart the teyndis of Bedroule and Innerlethane.

The quhilk day, the Quenis Majestie and Lordis of Secreit Counsall, calling to rememberance how, in the moneth of September last bipast, it wes reportit to hir Majestie how Thomas Ker of Pharnyhirst Knycht, on the ane part, and Andro Ker, and Williame Ker his bruther, and thair assistaris, on that uther part,—wer myndit, with convocatioun of thair freindis and partakaris, to intromet with the teind schaves of the parrochynnis of Bedroule and Innerlethane, be force and way of deid; direct thairfoir hir Majesteis lettres, undir hir Hienes subscriptioun and signet, to officiaris of the Quenis, shereffis in that part, chargeing bayth the partiis to desist fra all maner of convocatioun, and ordaining the officiar to gadder and collect the saidis teindis, to stak the samyn in neutrall places, and to arrest the samyn to be furthcumand to the partiis havand maist rycht thairto as law wald, as the lettres direct thairupoun and executioun thairof proportis; sen the quhilk tyme bayth the saidis partiis, be thair supplicatioun presentit to the Quenis Majestie and Counsall, hes requirit the said arreistment maid upoun the saidis teynd schaves to be lowsit at thair instance, and the samyn to be deliverit to thame. The rychttis, ressonis, and allegationis of all the saidis partiis being hard and undirstand to the saidis Lordis, and thai being ryplie avysit thairwith, the saidis Lordis ordanis lettres to be direct to officiaris of the Quenis, shereffis in that part, chargeing thame to pas and lowis the said arreistment maid upoun the saidis teind schaves of the parrochin of Bedroule, swa that the said Sir Thomas Ker of Pharnyhirst, Knycht, may intromet thairwith at his plesour, he findand sufficient cautioun and souertie in landismen that the saidis teind schaves salbe furthcumand to the said Williame Ker, as accordis of the law; and ordanis lettres to be direct to louse the said arreistment maid upoun the saidis teind schaves of the said parrochin of Innerlethane, swa

that the saidis Williame and Andro Kerris may intromet thairwith at thair plesour, thai findand sufficient cautioun and souertie likewyise in landismen that the saidis teind schaves salbe furthcumand to all partiis havand interesse thairto, as accordis of the law, providing alwayis that the lowsing of the said arreistment maid upoun the saidis teind schaves of Innerlethane sall na wyise be hurtfull nor prejudiciall to the said Thomas Ker of Pharnyhirstis kyndnes, quhilk he hes to the saidis teindis.

The quhilk day, anent oure Soverane Ladiis lettres, purchest be George Hume of Spott, and Robert Lawsoun of Humby, sone and air of umquhile James Lawsoun of Humby, makand mentioun that quhair thai ar callit befoir the Lordis of Counsall and Sessioun for transferring of ane decreit gevin to thame aganis the saidis complenaris, at the instance of Alexander Hume, sone naturall to umquhile Johnne Hume of Hutoun, and lettres to be direct to poind, at the said Alexanderis instance, the saidis complenaris and thair gudis for the soum of thre hundreth pund stirling for the ransoum of Edward Dudlie, Inglisman, presonar to the said umquhile Johnne, as the copy of the summondis of transferring and decreit mentionat thairintill proportis. And anent the charge gevin to the said Alexander Hume, to compeir befoir the Quenis Majestie and Lordis of Secreit Counsall at ane certane day bigane, to answer to the complaint contenit in the saidis lettres, and to produce the band mentionat thairin, to the effect that ordour mycht be takin anent the samyn as accordit, lyke as at mair lenth is contenit in the saidis lettres. The said Robert Lawsoun comperand personalie, and the said George Hume of Spot comperand be Maister Richard Strang, his procuratour, and the said Alexander Hume comperand alswa personalie, the Lordis of Secreit Counsall havand considderatioun that the Quenis Majestie wes haistelie to depart out of the burgh of Edinburgh, and that thai ar not of sic nowmer as is necessarlie requirit to the decisioun of the said mater, hes continewit and continewis the same in the samyn forme, force, and effect as it is now, but prejudice of partie, unto the viij day of Marche nix to cum, with continewatioun of dayis, the partiis and procuratour abonewrittin warnit thairunto apud acta. Hwme. Lawsoun.

Apud Edinburgh, xvij Januarii, anno, etc. lxiiij°.

Sederunt. Jacobus Comes de Mortoun, Cancellarius. Secretarius. Clericus Registri.

The quhilk day, anent oure Soverane Ladiis lettres purchest be Gilbert Millar in Cobebra, in Pedderisburne, aganis Johnne Hammiltoun of Pedderisburne, Johnne Boswell of Auchinlek, Thomas Jak in Pedderisburne, and David Hammiltoun in Dundeven, makand mentioun that quhair the said Gilbert obtenit lettres be deliverance of the Lordis of Secreit Counsall aganis the saidis Johnne Hammiltoun and Johnne Boswell, to haif comperit befoir the Quenis Majestie and Lordis foirsaidis, upoun the xviii day of July last bipast, to haif answerit to the said Gilbertis complaint anent certane oppressionis Hammiltoun. Auchinlek. Millar.

committit upoun him undir pretence of justice, as in the said complaint at mair lenth is contenit; and anent the charge gevin to the saidis personis to haif comperit befoir the Quenis Majestie and Lordis of hir Secreit Counsall this day, to answer to the said complaint, and to sic utheris thingis as salbe laid to thair charge at thair cuming, undir the pane of rebellioun and putting of thame to the horne, as the saidis lettres beris. The saidis Gilbert Millar, persewar, and the said Johnne Hammiltoun comperand bayth personalie, and the remanent personis abonewrittin oftymes callit and nocht comperit, the Lordis of Secreit Counsall havand considderatioun of the Quenis Majesteis absence, quhais presens is necessarlie requirit to the decisioun of this mater, continewis the said mater in the samyn forme, force, and effect as it is now, but prejudice of partie, quhill the secund day of Marche nixtocum; and ordanis the said Gilbert Millar to haif lettres to charge the saidis Johnne Boswell of Auchinlek, Thomas Jak, and David Hammiltoun, to compeir befoir the Quenis Majestie and Lordis foirsaidis the said day, to answer to the said complaint, and to sic utheris thingis as salbe laid to thair charge, undir the said pane of rebellioun and putting of thame to the horne. And gif thai failye thairin, the said day being bipast, to put thame to the horne and to escheit, etc., becaus thai wer chargeit heirto of befoir, undir the said pane of rebellioun, with certificatioun as said is, and dissobeyit, the said Johnne Hammiltoun warnit heirto apud acta, and als to charge the saidis personis, and ilkane of thame, to desist and ceise fra all poinding or intrometting with the said Gilbertis cornes, cattell, and gudis in the menetyme.

Apud Edinburgh, xviij die mensis Januarii, anno Domini j^{m}v^{c}lxiiij^{o}.

Sederunt in pretorio Edinburgi. Jacobus Comes de Mortoun, Cancellarius. Joannes Atholie Comes. Joannes Dominus Erskin. Patricius Dominus Ruthven. Secretarius. Thesaurarius. Computorum Rotulator. Clericus Registri. Clericus Justiciarie. Advocatus.

Humes. Cap. Stewart.

The quhilk day, the Lordis of Secreit Counsall, undirstanding the troubill rasit in Edinburgh be the hurting of James Stewart of Cardonald, allegit committit be Jaspar Hume, Alexander Hume, and Patrik Hume, upoun the Hiegait of the said burgh this day. And finding the commoun ordour observit be the Provest and Baillies within burgh owir slindir for punissing and dounsetting of this disordour, ordanis ane maser to pas, and in the Quenis Majesteis name and autorite command and charge the saidis Jaspar Hume, Alexander Hume, and Patrik Hume, to pass and entir thair personis in ward within Striviling, thair to remane upoun thair awin expenssis, ay and quhill the Quenis Majestie haif takin triall and ordour in this behalf as appertenis within xlviij houris nixt eftir thai be chargeit thairto, undir the pane following; and Williame Kirkcaldy of Grange, Gilbert Lawder, and Alexander Clerk, burgessis of Edinburgh, ar becum

cautionaris and souerteis, conjunctlie and severalie, for the saidis Jaspar, Alexander, and Patrik, that thai sall entir within the said ward within the said space of xlviij houris, and sall remane within the samyn in maner foirsaid, undir the pane of fyve hundrith pundis; and the saidis personis ar likewyise becum souerteis that the saidis Jaspar, Alexander, and Patrik, be thame selffis, thair kin, freindis, assistaris, and partakaris, sall keip guid rewll and ordour, and on na wayis sall invaid, molest, or persew the said James Stewart, or ony of the archearis of the Quenis Majesteis gaird undir his charge, or ony utheris, his kin, freindis, assistaris, and partakaris, be way of deid, unto the tent day of Marche nixtocum, undir the pane of ane thowsand pundis, to the effect that hir Majestie may tak sic forder ordour thairin as sall pleis hir Majestie in the menetyme, sic subscribitur W. Kirkcaldie, Alexander Clerk, Gilbert Lawder.[1]

Apud Edinburgh, xix die mensis Januarii, anno Domini millesimo quingentesimo sexagesimo quarto.

The quhilk day, Maisteris Johnne Abircrumby and Richard Strang, burgessis of Edinburgh, become actit and obleist, conjunctlie and severalie, as cautionaris for Dame Kathrene Ker, relict of umquhile Sir Johnne Ker of Pharnyhirst, Knycht, that the said Dame Kathrene sall do—for the teind schaves of the landis of Ovir Crailing, stakkit, arreistit, and lowsit now be vertew and at command of oure Soverane Ladiis, lettres, past upoun ane Act of the Lordis of Secreit Counsall—to all partiis that the law requiris for this crope last bipast allanerlie; and als ar becum actit, conjunctlie and severalie, as cautionaris for Andro Ker and Williame Ker, sonnis to the said umquhile Sir Johnne, that the teind schaves of the parrochin of Innerlethane of the said last crope, likewyise stakkit, arreistit and now lowsit at command of the Quenis Majesteis lettres past upoun ane Act of the saidis Lordis of Secreit Counsall, salbe furthcumand to all havand interesse thairto as accordis of the law; and the saidis Andro and Williame Kerris ar presentlie actit, conjunctlie and severalie, to releif the saidis Maistir Johnne and Maistir Richard of thair band of cautioun foirsaid, lyke as alswa Alexander Lord Hume and Johnne Hume of Coldounknowis becummis souerteis at the requeist of the saidis Andro and Williame, to releif the saidis Maister Johnne and Maistir Richard of the premissis, and the saidis Andro and Williame for thame selffis, and takand the said burding for thair said modir, ar actit of thair awn consentis to releif the said Lord Hume and Johnne Hume of Caldonknowis; and the saidis haill partiis ar content that this present writting be actit and registrat in the bukis of oure Soverane Ladiis Prevy Counsall and Sessioun, and to haif the strenth of thair decretis and executoriallis to pas upoun thame, and hes subscrivit thir presentis with thair handis. Sic

Teyndis Innerlethan.

[1] Written on the margin of the Record in a different hand: Decimo Marcii 1564, deletur de mandato dominorum Secreti Consilii.

subscribitur. Maister Johnne Abircrumby. Maister Richard Strang. Alexander Lord Hume. Johnne Hume of Coldonknowis. Andro Ker. Williame Ker.

Apud Edinburgh, xxij Januarii, anno, etc. lxiiij°.

Teyndis Bedroule. The quhilk day, Sir Williame Kirkcaldy of Grange, Knycht, and as cautionar and souertie for Sir Thomas Ker of Pharnyhirst, Knycht, and the said Sir Thomas for himself,—band and obleist thame, conjunctlie and severalie, that the teind schaves of the parrochin of Bedroule, of the crope last bipast, stakkit, arreistit and now lowsit, be vertew of oure Soverane Ladiis lettres past upoun ane Act of the Lordis of Secreit Counsall, salbe furth cumand to Williame Ker, bruther to the said Sir Thomas, as accordis of the law. Sic subscribitur. W. Kirkcaldy. Thomas Ker of Pharnyhirst.

Apud Edinburgh, septimo die mensis Marcii, anno Domini j^{m}v^{c} sexagesimo quarto.

Sederunt. Jacobus Moravie Comes. Jacobus Comes de Mortoun, Cancellarius. Alexander Comes de Glencarne. Joannes Dominus Erskin. Patricius Dominus Ruthven. Secretarius. Thesaurarius. Computorum Rotulator. Clericus Registri. Advocatus.

Kynneir. Spens. Maxwell. The quhilk day, anent the complaint maid be Johnne Kynneir of that Ilk, makand mentioun that quhair he hes bene in peceabill possessioun of the toun and landis of Preistoun of Teilling, liand within the sherefdome of Forfair, haldin of the Archedene now of Dunkeld and his predecessouris, be the space of xx yeris or thairby, and hes evir payit the males and dewiteis thairof thankfullie, lyke as he is yit willing to do. Yit, nevir the les, upoun quhat occasioun he knawis nocht, Maister David Spens, now Archedene of Dunkeld, hes, on his maner, set ane few of the said Johannes kyndlie rowme to Alexander Maxwell of Teling, tending thairby to disposses the said Johnne of his said kyndlie possessioun, by all guid ordour and conscience. And as he is informit the said Lard of Teling intendis haistelie to obtene the commoun seile of the cheptour of Dunkeld upoun his said pretendit few, and thaireftir the Quenis Majesteis confirmatioun thairupoun, quhilk being obtenit wil be the occasioun of inymitie and discord, quhairunto hir Hienes and hir Counsall mon tak ee and regard in sic sort that na kyndlie tennent nor possessour be removit fra thair kyndlie possessioun without caus, sa lang as thai pay thair males and dewiteis thankfullie thairfoir, and ar willing to do ressonabillie thairfoir as utheris will, humelie thairfoir requirand that sum guid ordour may be takin heiranent, aggreing with equitie and conscience, lyke as at mair lenth is contenit in the said complaint. The Lordis of Secreit Counsall commandit and ordanit, that at the confirmationis to be grantit of the lait set fewis be the Lordis Commissionaris appointit thairto, the complaint be

rememberit on, and ordanis the saidis Lordis to delay and superseid the granting of ony confirmatioun upoun the said Alexander Maxwellis few foirsaid, unto the tyme that bayth he and the said John Kynneir be hard, and thair ressonis and allegationis sene and undirstand, as thai will answer to the Quenis Majestie in that behalf.

Apud Edinburgh, octavo die mensis Martii, anno, etc. lxiiij°.

Sederunt. Jacobus Moravie Comes. Jacobus Comes de Mortoun, Cancellarius. Joannes Atholie Comes. Alexander Comes de Glencarne. Joannes Dominus Erskin. Patricius Dominus Ruthven. Secretarius. Thesaurarius. Computorum Rotulator. Clericus Justiciarie. Clericus Registri. Advocatus.

Hume. Lawson.

The quhilk day, anent the terme assignit to Alexander Hume, sone naturall to umquhile Johnne Hume of Hutoun, on the ane part, and Robert Lawsoun of Humby, sone and air of umquhile James Lawsoun of Humby, and George Hume of Spott, on the uther part; to compeir befoir the Quenis Majestie and Lordis of Secreit Counsall, to answer to the complaint maid be the saidis Robert Lawsoun and George Hume, towart the translatioun of ane decreit gevin be the Lordis of our Soverane Ladiis Counsall and Sessioun aganis thame at the instance of the said Alexander Hume, and directioun of lettres, to poind at his instance the saidis Robert and Georgis gudis and geir for the soum of thre hundreth pund stirling for the ransoum of Edward Dudlie, Inglisman, presonar to the said umquhile Johnne, as the copy of the summondis of transferring and decreit mentionat thairintill proportis, to the effect that ordour mycht be takin anent the samyn as accordit, lyke as at mair lenth is contenit in oure Soverane Ladiis lettres purchest be the saidis Robert and George, actis and proces led thairupoun. The said Alexander Hume comperand personalie, with Maisteris Thomas Makcalyeane and Johnne Abircrumby his prelocutouris, and the said Robert Lawsoun comperand alswa personalie, with Maister Richard Strang his prelocutour, and the said Maister Richard comperand as procuratour for the said George Hume of Spott, it wes allegeit for the part of the said Alexander Hume that the said actioun and caus wes presentlie dependand befoir the Lordis of Sessioun, and that thairfoir na proces aucht to be had thairin befoir the Quenis Majestie and hir Secreit Counsall, unto the decisioun of the said actioun of translatioun befoir the Lordis of Sessioun. The Lordis of Secreit Counsall, in respect of the said allegeance, remittis the said mater to the decisioun of the saidis Lordis of Counsall and Sessioun, and ordanis thame to do justice thairintill as appertenis.

Apud Edinburgh, viij Marcii, anno, etc. lxiiij.

Hume. Lawson.

The quhilk day, in presence of the Lordis of Secreit Counsall, Maister Richard Strang, prelocutour for Robert Lawsoun of Humby, and procura-

tour for George Hume of Spot, grantit and consentit that the indenture of peace takin in the yeir of God j^{m}v^{c}xlix yeris, tuicheing the latting fre of all presonaris, wes directit eftir the decreit obtenit be umquhile Johnne Hume of Hutounhall, aganis umquhile James Lawsoun of Humby, and George Hume of Spot, quhairupoun Alexander Hume of Hutounhall askit instrumentis and documentis.

Apud Edinburgh, nono die mensis Marcii, anno, etc. lxiiij°.

Sederunt. Archibaldus Ergadie Comes. Joannes Atholie Comes. Jacobus Moravie Comes. Jacobus Comes de Mortoun, Cancellarius. Joannes Dominus Erskin. Patricius Dominus Ruthven. Secretarius. Thesaurarius. Computorum Rotulator. Clericus Justiciarie. Clericus Registri. Advocatus.

Glencarne. Bass. The quhilk day, Alexander, Erle of Glencarne, on the ane part, and Maister Edmond Hay, procuratour for Robert Lawder of Bass, on the uther part, submittit the actioun dependand betuix James Cunynghame, sone to the said Erle, and pensionar of Kelso, on the ane part, and the said Robert Lawder of Bas on the uther part, in amicabill wyise to the jugement and decisioun of Williame Maitland of Lethingtoun, youngar, Secretar to our Soverane Lady, and Maister James Makgill of Rankelour Nethir, Clerk of hir Hienes Register; quhilk actioun is towart the interpretatioun of the law of oblivioun anent the payment of the soumis of New Grange of the crope j^{m}v^{c}lix yeris, and quhat the saidis Secretar and Maister James decernis in the said mater, bayth the saidis partiis sall observe and fulfill the samyn in all pointis.

Apud Edinburgh, decimo tertio Marcii, anno, etc. lxiiij°.

Sederunt. Jacobus Moravie Comes. Jacobus Comes de Mortoun, Cancellarius. Joannes Atholie Comes. Joannes Dominus Erskin. Patricius Dominus Ruthven. Secretarius. Thesaurarius. Computorum Rotulator. Clericus Justiciarie. Clericus Registri. Advocatus.

Makclane. The quhilk day, in presence of the Lordis of Secreit Counsall, comperit Hector M^{c}Clane of Dowart, with his cautionaris undirwrittin, and gaif in this band and obligatioun subscrivit with thair handis, and desyrit the samyn to be actit and registrat in the bukis of Secreit Counsall, to haif the strenth of ane act and decreit of the Quenis Majestie and Lordis thairof, and lettres and executoriallis to be direct thairupoun, gif neid be, eftir the forme and tennour thairof, quhilk desyre the saidis Lordis thocht ressonabill, and thairfoir ordanis the said band and obligatioun to be actit and registrat in the saidis bukis to have the strenth of ane act and decreit as said is, and lettres and executoriallis to be direct thairupoun, gif neid be, in forme as efferis: of the quhilk obligatioun the tennour followis: Be it kend till all men be thir present lettres, me, Hector M^{c}Clane of Dowart,

to be bundin and obleist, and be the tennour heirof bindis and obleissis me, that I sall keip guid rewll and ordour in the cuntre be myself, my sonnis, brether, men, tennentis, servandis, and assistaris, and on na wyise sall molest or persew ony of oure Soverane Ladiis liegis in thair bodiis, landis, possessionis, and gudis be force and way of deid in tyme cuming, reservand and exceptand to me alwayis the just defence and protectioun of myself, my sonnis, brether, men, tennentis, servandis, and my assistaris; and gif I failye herein, I bind and obleissis me that I sall entir and compeir befoir our Soverane Ladie and Lordis of hir Secreit Counsall, quhen and quhair it sall pleise hir Majestie, upoun fourtie dayis warning maid to me, to answer to all thingis that may be laid to my charge, undir the pane of ten thowsand pundis. And I als obleissis me to entir and present Johnne M^{c}Clane, my secund sone, befoir the Quenis Majestie and Lordis of hir Secreit Counsall, at Edinburgh, or quhair it sal happin thame to be for the tyme, to remane quhair it sall pleis hir Hienes, as plege and souerte for me, my sonnis, brethir, men, tennentis, servandis, and assistaris, during hir Hienes will; and failyeing of him, that I sall entir myself in propir persoun befoir hir Majestie and Counsall foirsaid, betwix the dait heirof and the feist of Midsomer nixtocum, under the pane abonespecifiit, to remane likewyise at hir Hienes plesour. And for my entre at the tymes and place respective foirsaidis, undir the said pane, ar becum cautionaris and souerteis with myself, Coline Campbell of Buchane Knycht, Johnne Lawmont of Inveryn Knycht, Archibald M^{c}Lauchlane of that Ilk, and Duncan Campbell of Duntrune, conjunctlie. And Archibald, Erle of Ergyle, Lord Campbell and Lorne, obleissis him to releif the saidis cautionaris of the souertie foirsaid, and of all pane and danger that thai may incur thairthrow. And I, the said Hector, obleissis me and my airis, executouris, and assignayis to releif the said Erle and his airis of the samyn obligatioun. And attour, we are all content and consentis that this our obligatioun be actit and registrat in the bukis of Secreit Counsall, to haif the strenth of ane act and decreit of the Quenis Majestie and Lordis thairof, and lettres and executoriallis to be direct thairupoun, gif neid be, in forme as efferis: In witnes of the quhilk thing we haif subscrivit thir present lettres with oure handis as followis:—At Edinburgh, the xiii day of Marche the yeir of God j^{m}v^{c}lxiiij yeris, befoir thir witnessis, Johnne Sempill of Foulwod, Robert Sempil, his bruther, Maister Johnne Angus, my servand, with utheris diverse. Sic subscribitur. Ardgyle. Johnne Lawmont of Inveryne, Knycht. Hector Makclane of Dowart, with my hand at the pen, led be the notar undirwrittin at my command: Ita est Alexander Hay, notarius, de mandato dicti Hectoris scribere nescientis. Archibald Lauchlane of that Ilk. Coline Campbell of Buquhane. Duncan Campbell of Duntrune, with my hand at the pen, led be the notar undirwrittin: Ita est Robertus Boill, notarius, de mandato dicti Duncani Campbell nescientis scribere.

The quhilk day, anent oure Soverane Ladiis lettres, purchest be Sir Gilbert Bennerman Channoun of Dunkeld, and preband of the prebendarie of

Banerman. Creichton.

Cragie, situat within the samyn, makand mentioun that quhair be the space of twa yeir syne or thairby last bipast, with the mair, the Quenis Majestie directit hir writting, undir hir subscriptioun, to Johnne Wischert of Pettarro, Knycht, hir Hienes Comptrollar, chargeing him to caus lettres in the foure formes be direct at the said Sir Gilbertis instance for answering and obeying him of the frutis and rentis of the said prebendarie than vacand in hir Graces handis, ay and quhill forder ordour wer tane; and conforme thairto the said Sir Gilbert obtenit lettres in the foure formes to the effect foirsaid, and be vertew thairof, and of his provisioun of his said prebendarie, he hes bene in possessioun of the samyn be uplifting and ressaving of the males and dewiteis thairof yeirlie sensyne lyke as he is yit in possessioun of the samyn be vertew of his provisioun, tytill, and lettres foirsaidis. Nochttheles, Alexander Creichtoun hes laitlie, as the said Sir Gilbert is informit, be sinister informatioun maid to the Quenis Majestie, and be circumventioun of hir Hienes, obtenit hir Graces gift undir the Previe Seill of the said prebendarie and frutis thairof, with lettres thairupoun in the four formes, to caus him be answerit of the frutis of the samyn yeirlie during his lyftyme, tending thairby to secluid the said Sir Gilbert fra his rycht and possessioun of the said prebendarie. And anent the charge gevin to bayth the saidis partiis to compeir befoir the Quenis Majestie and Lordis of hir Secreit Counsall at ane certane day bigane, bringand with thame bayth thair rychttis and titillis, quhairby thai clame the said prebendarie and frutis thairof to pertene to thame, to be sene and considderit quha hes best rycht thairto; and the partie that beis fundin havand na rycht, to heir the lettres grantit to thame suspendit simpliciter in tyme cuming, lyke as at mair lenth is contenit in the saidis lettres and executionis thairof. The said Sir Gilbert Banerman comperand be Maistir Alexander Skene, his procuratoure, and the said Alexander Creychtoun comperand personalie, thair rychttis, ressonis, and allegationis being hard, sene, and undirstand to the saidis Lordis, and thai ryplie avysit thairwith, the Lordis of Secreit Counsall havand consideratioun that bayth the saidis partiis hes obtenit lettres in the foure formes be vertew of the Quenis Majesteis gift and lettre subscrivit be hir Majesteis hand, swa that it consistis in hir awin plesour quhilkis of the saidis partiis rychttis schö will auctoreis, ordanis the Maister of Requeistis to declair the caise and circumstance thairof to hir Majestie, and thaireftir to report to thame quhat is hir Hienes will and plesour to be done thairin, quhairthrow thai may proceid according to the samyn in all behalffis.

Dunwedy. Johnstoun.

The quhilk day, forsamekill as Johnne Dunwedy, fadir bruther to Jane Dunwedy, apperand air and heretrix of Dunwedy, donatour to our Soverane Lady, and havand be gift of hir Hienes the said Janes ward and mariage, had maid and constitute James Johnestoun of Kellobank, burges of Edinburgh, his cessionar and assignay in and to the samyn ward and mariage, as the lettres of gift undir the Previe Seill and assignatioun in forme of instrument maid thairupoun to the said Jane beris; nevirtheles he, com-

perand in presens of the Lordis of Secreit Counsall, band and obleist him that he sould retene and keip the said assignatioun of the said gift in his awin handis, and on na wayis sould transfer or dispone the samyn to ony utheris personis, and als that he sould conserve and keip the said Jane, quha likewyise is presentlie in his handis, as fre woman uncontractit or mariit in ony sort for the space of ane yeir nixt eftir the dait heirof, undir the pane of ane thowsand pundis money of this realme, to be payit to oure said Soverane Lady, in caise he do in the contrair.

Cassillis. Lochinver. Garthlone.

The quhilk day, anent the terme assignit to Gilbert, Erle of Cassillis, to bring and present befoir the Quenis Majestie and Lordis of Secreit Counsall Uchrid Makdowell of Knokglass and Patrik Makdowell of Logane, to answer to the complaint maid be Johnne Gordoun of Lochinvar and Alexander Campbell of Arye, his freind and servand, tuicheing the making of convocatioun and tumult contrair the tennoure of the said Erlis band, actit in the bukis of adjornall, incurrand thairthrow the panis contenit thairin. And likewyise anent the charge gevin to Thomas Blair, dwelland in the place of Corswell, Johnne Campbell, in Knokbrek, Andro Reid, in Balsdroche, Williame M^cChenye, Gibbon Campbell, Thomas Reid, in Barsdrach, and George Kennedie, to haif comperit and borne leill and suythfast witnessing, in sa fer as thai knaw or sould haif bene sperit at thame, tuicheing the pointis of the said complaint, undir the pane of rebellioun and putting of thame to the horne, as at mair lenth is contenit in the lettres direct thairupoun. The said Gilbert, Erle of Cassillis, comperand personalie, producit and presentit the saidis Uchrid Makdowell of Knokglass and Patrik Makdowell of Logane to the effect foirsaid, and the said Alexander Campbell of Arye also comperand personalie, the saidis Thomas Blair in Corswell, and George Kennedie thair comperand and being ressavit, sworne, and admittit to testifie in the said mater; the Lordis of Secreit Counsall continewis the said mater in the same forme, force, and effect as it is now, but prejudice of partie, unto the viij day of Maii nixtocum, and ordanis lettres to be direct to charge the saidis personis quhilkis wer chargeit of befoir to beir witnessing in the said mater and comperit nocht, to compeir the day foirsaid undir the grittar panis, and alswa to summond ma witnessis gif neid beis, and the partiis comperand as said is ar warnit heirof, apud acta.

Apud Edinburgh, xvii die mensis Marcii, anno, etc. lxiiij°.

Sederunt. Domini ut in die predicto.

Fals hardhedis.

The Lordis of Secreit Counsall ordanis the Thesaurare to caus melt the maill full of fals hardhedis brocht furth of Flanderis and deliverit in his handis, swa that thai haif na cours nor passage within this realme in tyme cuming.

Apud Edinburgh, xxi Marcii, anno, etc. lxiiij°.

Sederunt. Jacobus Moravie Comes. Jacobus Comes de Mortoun, Cancellarius. Joannes Atholie Comes. Joannes Dominus Erskin. Patricius Dominus Ruthven. Secretarius. Thesaurarius. Computorum Rotulator. Clericus Justiciarie. Clericus Registri. Advocatus.

Campbell. Kennedy. The quhilk day, in presence of the Lordis of Secreit Counsall, comperit Maistir Alexander Campbell of Flenes, as havand the titill of the mariage of Jane Campbell, oy and ane of the airis of umquhile Finla Campbell of Corswell, and allegeit—that the said Janes pretendit mariage with George Kennedie wes compleit, and solempnizat eftir the charge gevin to Uchrid Makdowell of Garland be Robert Campbell, messinger within the burgh of Air, upoun the xxij day of December last bipast, be vertew of our Soverane Ladiis lettres undir hir Hienes subscriptioun and signet, to haif presentit the said Jane befoir our said Soverane Lady and Lordis foirsaidis upoun the thrid day nixt eftir the charge, as the lettres direct thairupoun and executioun thairof beris; and that the samyn pretendit mariage wes compleit and maid be the said Uchridis counsall, convoy, and ratihabitioun, at the leist be his knawlege; quhairupoun he being callit and inquirit, denyit the samyn allutirlie; and thairfoir the saidis Lordis referrit the said allegeance to the probatioun of the said Maistir Alexander, and ordanit him to haif lettres to summond for witnessis, as he will use for probatioun of the said allegeance, to compeir befoir the Quenis Majestie and Lordis foirsaidis at Striviling, or quhair it sal happin thame to be for the tyme, the xv day of Apprile nixt to cum, to beir leill and suythfast witnessing, under the pane of rebellioun and putting of thame to the horne; the said Uchrid Makdowell warnit thairunto apud acta.

Apud Edinburgh, xxij Marcii, anno, etc. lxiiij°.

Sederunt. Domini ut in die predicto.

Kennedy. Campbell. The quhilk day, in presens of the Lordis of Secreit Counsall, comperit Jane Campbell, dochter to Johnne Campbell of Lundy, and oy and ane of the airis of umquhile Finlay Campbell of Corswell, and confessit that the mariage betuix her and George Kennedy wes compleit befoir or schö wes chargeit be the Quenis Majesteis lettres in Corswell, and the said George comperand likewyise in the saidis Lordis presens, grantit that the said mariage wes completit viii dayis eftir Martimes last bipast, quha being confrontit with the said Jane, declarit in the samyn maner as is befoir specifiit, and than the said Jane said schö belevit that he said trew, for schö hes na rememberance; upoun the quhilkis confessionis Maister Alexander Campbell of Flenes askit instrumentis.

Campbell. The quhilk day, the Lordis of Secreit Counsall permittit Uchrid Makdowell of Gartland, Jane Campbell, dochtir to Johnne Campbell of

Lundy, and oy and ane of the airis of umquhile Finlay Campbell of Corswell, and George Kennedie, hir pretendit spous, to depart furth of the burgh of Edinburgh hame to thair dwelling places, and relevis thame of all chargeis gevin to thame, or ony of thame, to remane within the samyn burgh, gevin be the saidis Lordis of Secreit Counsall, or at thair command; quhairupoun all the saidis personis being present askit instrumentis.

Apud Edinburgh, xxiiij die mensis Marcii, anno Domini millesimo quingentesimo sexagesimo quarto.

Sederunt. Domini ut in die predicto.

Cragy Wallace Sir W. Hamilton.

The Lordis of Secreit Counsall, undirstanding that Hew Wallace of Carnale and Williame Cunynghame of Craganis, as cautionaris and souerteis for Johnne Wallace of Cragy, became actit and obleist, conjunctlie and severalie, that the said Johnne, for himself, his kin, freindis, allia, men, tennentis, servandis, assistaris, partakaris, and all that he mycht let, sould keip guid rewll and ordour in the cuntre, and on na wayis invaid, molest, or persew Sir Williame Hammiltoun of Sanchar, Knycht, his kin, freindis, allia, men, tennentis, servandis, assistaris, and partakaris, for the space of thre monethis nixt following the xx day of December last bipast; and als the said Johnne, or sum of his freindis sufficientlie auctorizit be him, to haif comperit befoir the Quenis Majestie and Lordis of Secreit Counsall aucht dayis befoir the outrynning of the saidis thre monethis, and ressave and undirly sic directioun as than salbe gevin be thame, lyke as at mair lenth is contenit in ane act maid in the bukis of Secreit Counsall thairupoun. And albeit the saidis thre monethis be completlie bipast, nowther hes the said Johnne Wallace, nor nane in his name, comperit befoir the Quenis Majestie and Lordis foirsaidis; and thairfoir the said Hew Wallace of Carnale and Williame Cunnynghame, cautionaris foirsaidis, hes incurrit the pane contenit in the said act. Quhairfoir the Lordis of Secreit Counsall ordanis lettres to be direct to charge the saidis Hew Wallace and Williame Cunynghame, cautionaris foirsaidis, to present the said Johnne Wallace of Cragy, and to charge the said Johnne Wallace for himself to compeir befoir the Quenis Majestie and Lordis of Secreit Counsall upoun the aucht day nixt eftir thai be chargeit thairto, to undirly sic directioun and command as salbe gevin him, undir the pane of rebellioun and putting of thame to the horne; and gif thai failye thairin, the said day being bipast, to put thame to the horne, and to escheit, etc.

Burnfelde. Haitlie.

At Edinburgh, the xxix day of Marche, the yeir of God $j^{m}v^{c}lxv$ yeris, in presence of the Lordis of Secreit Counsall, comperit the personis undirwrittin, and gaif in the band and obligatioun undirspecifiit, subscrivit with thair handis as followis, and desyrit the samyn to be actit and registrat in the bukis of Secreit Counsall to haif the strenth of ane act

and decreit of the Quenis Majestie and Lordis thairof, and lettres and executoriallis to be direct thairupoun, gif neid be, in forme as efferis: The quhilk desyre the saidis Lordis thocht ressonabill, and thairfoir ordanit and ordanis the samyn band and obligatioun to be actit and registrat in the saidis bukis, and lettres and executoriallis to be direct thairupoun in maner foirsaid: of the quhilk band and obligatioun the tennour followis: Be it kend till all men be thir present lettres, us, Adame Burnfeld of Hardakeris, Alexander Burnfeld in the Manis, Andro Burnfeild, in Pittislisheuch, Alexander Burnfeild, in Eist Feild, and Alexander Burnfeild, in Gordoun Manis, for oure selffis, and takand the burding upoun us in maner following. That is to say, I, the said Adame, for my houshaldmen and servandis, providing that heirby I bind nor astrictis me nocht for nane of my brethir; I, the said Andro, for myself, my houshald men, sonnis, servandis, and brethir, and als for Johnne Burnfeild of Howlaheid, his sonnis and servandis, excepand James Burnfeild, my bruther, quhomefor I intend nocht be thir presentis to obleis for; and we, the saidis Alexander Burnfeild, in the Manys, Alexander Burnfeild, in Eist Feild, and Alexander Burnfeild, in Gordoun Manys, for oure selffis, and takand the burding upoun us for our brethir, oure sonnis houshald men and servandis, ilkane of us for oure awin part respective; to haif assurit, and be the tennour heirof specialie and expreslie assuris, Alexander Haitlie, in Lambdene, Johnne Haitlie, in Brumhill, George Haitlie, in Hordlaw, Laurence Haitlie, in Halieburtoun, and Leonard Haitlie, brether, thair barnis, houshaldmen and servandis, and Patrik Haitlie in Clerkleyis, his sone and servandis,—to be unhurt, unharmit, unmolestit, troublit, or ony wayis persewit be us, our saidis brethir, oure sonnis, houshald men, and servandis be force and way of deid in tyme cuming during the space of thre yeris nixtocum eftir the dait heirof, undir the pane of ane thowsand pundis money of this realme, to be payit be the persoun or party, offendar and brekar of this present assurance, to the said Alexander Haitlie, his remanent four brethir abonewrittin, the said Patrik Haitlie, thair bairnis, houshaldmen, and servandis foirsaidis aggreit and condiscendit unto be us presentlie, and forder, undir the pane of perjure, infamie, and tinsall of perpetuall honour, estimatioun, honestie, and credit; and attour we ar content and consentis that this oure band and obligatioun of assurance be actit and registrat in the bukis of Secreit Counsall, to haif the strenth of ane act and decreit of the Quenis Majestie and Lordis thairof, and lettres and executoriallis to be direct thairupoun, gif neid be, in forme as efferis. In witnes of the quhilk thing we haif subscrivit this present assurance with oure handis in maner following:—At Edinburgh, the xx and xxix dayis of Marche, the yeir of God $j^{m}v^{c}$ thre scoir fyve yeris, befoir thir witnessis, Archibald Dudingstoun of Kilduncane, Maistir Richard Schoriswod of Bedscheill, and Alexander Hay, notar, with utheris diverse. Sic subscribitur. Adam Brounfeild. Andro Brounfeld. Alexander Burnfeild, in the Manys. Alexander Burnfeild, in Eist Feild. And Alexander Burnfeild, in Gordoun Manis, with our handis at the pen, led be the notar undir-

writtin at our command, becaus we can nocht wryte oure seffis: Ita est Alexander Hay, notarius de mandato dictarum personarum scribere nescientium ut asserverunt.

Be it kend till all men be thir present lettres, us, Alexander Haitlie of Lambdene, Johnne Haitlie, in Bowinhill, George Haitlie, in Hordlaw, Laurence Haitlie, in Halieburtoun, and Leonard Haitlie, brethir, for oure selfis, and takand the burding upoun us for Patrik Haitlie, in Clerkleyis, oure and his barnis, houshaldmen, and servandis, to haif assurit, and be the tennour heirof specialie and expreslie assuris Adame Burnfeld of Hardakeris, his houshaldmen and servandis (providing that heirby we assure nocht ony of his brethir), Andro Burnfeild, in Pittillisheuch, his houshaldmen, sonnis, servandis, and brethir, and als Johnne Burnfeild of Howlaheid, his sonnis and servandis (excepand James Burnfeild, bruther to the said Andro, quhome we assure nocht be thir presentis), and siclike Alexander Burnfeild, in the Manis, Alexander Burnfeild, in Eist Feild, and Alexander Burnfeild, in Gordoun Manis, thair brethir, sonnis, houshaldmen and servandis, ilkane of us for oure awin partis respective, that the saidis personis (except abone exceptit) salbe unhurt, unharmit, unmolestit, untroublit, or in ony wayis persewit be us, our barnis, houshaldmen, and servandis, be force and way of deid in tyme cuming during the space of thre yeris nixtocum eftir the dait heirof, undir the pane of ane thowsand pundis money of this realme, to be payit be the persoun or party offendar and brekar of this present assurance to the said Adame Burnfeild and remanent personis of his surname abonewrittin (except befoir exceptit), thair brethir, sonnis, houshaldmen, and servandis, aggreit and condescendit unto be us presentlie; and forder undir the pane of perjure, infame, and tinsall of perpetuall honour, estimatioun, honestie, and crydett; and forder, we ar content and consentis that this oure band and obligatioun of assurance be actit and registrat in the bukis of Secreit Counsall, to haif the strenth of ane act and decreit of the Quenis Majestie and Lordis thairof, and lettres and executoriallis to be direct thairupoun, gif neid be, in forme as efferis. In witnes of the quhilk thing we haif subscrivit this oure present assurance with oure handis in maner following:—At Edinburgh, the xxix day of Marche, the yeir of God $j^{m}v^{c}$ thre scoir fyve yeris, befoir thir witnessis, William Jarbes servand to me the said Alexander, Williame Hay, Williame Gordoun, and Alexander Hay notar, with utheris diverse. Sic subscribitur, Alexander Haitlie of Lambdene. George Haitlie. Johnne Haitlie. Laurence Haitlie. Leonard Haitlie. Burnfeld. Haitlie.

The said Alexander Haitlie askit instrumentis that be the subscriptioun of this present assurance he passis on na wayis fra the ordinance of the Lordis of Secreit Counsall, nor will that the same assurance prejuge it in ony sort. Haitlie.

The Quenis Majestie, with avyise of hir maist honorabill Counsall, grantis to Johnne Stewart of Tarlair, and to Williame Stewart, his sone, and to the langar levar of thame twa, the liberteis and licencis undirwrittin.

Privilege to John Stewart and William Steuart.

And first of all the Quenis Majestie gevis the foirsaidis Johnne and Williame fre licence to wynt and transport all and sindry kyndis of mettallick uris, and to laubour all and sindry the mynis of metall that ar beuix the wattir of Tay and the Sherefdome of Orkney, sa mony as the Quenis Majestie undirstandis thai find thame selffis, and may laubour with thair partinaris, quhilk salbe na strangearis, upoun this conditioun that thai pay unto hir Majestie the tent stane fre of every ure and mettall that thai sall happin to win; and this licence to induir the space of nyne yeris, quhairof the Quenis Majestie, of hir liberalitie, gevis thame twa yeris fre all the uris and metallis that thai sal happin to win, and that in respect of thair inventioun and greit chargeis maid and to be maid in the outseking of the same.

Item, the Quenis Majestie gevis fre licence to the saidis Johnne and Williame for the space abone expressed, to seik, win, and laubour all the myndis of gold and silver that thai sal happin to find within ony part of hir realme quhairevir ony sic mynis hes bene fund befoir, with this charge and conditioun, that thai transport nane of thir twa mettallis without hir cuntre, bot bring and sell the same to the generall of hir cunyehous, the unce of gold for ten pund, and the unce of uttir fyne silver for xxiiii ß.

Item, the Quenis Majestie, of hir greit liberalitie, grantis unto the saidis Johnne and Williame fre licence to fische in all and sindry the salt and fresche watteris of hir realme quhilk pertenit to hir Hienes, and to na uther quhair nevir fischeing wes usit of befoir; and this frelie without payment of ony dewitie for the space abonewrittin, and that in respect of the benefite that hir subjectis and cuntre ar lyke to ressave by thair inventioun.

Ferdlie, the Quenis Majestie gevis thame fre licence to win and transport earth out of the boundis that belangis to hir Grace, and to na uther, without payment of ony dewitie, for the space of nyne yeris abonewrittin, provyding the said earth contene na kynd of mettallyke ure.

And last of all, gif it sall fortoun the saidis Johnne and Williame to find in the outseking of mynis, ony coilheuchis, the Quenis Majestie, in that caise, gevis thame fre licence to use and occupy the same, provyding thai be nocht within ten mylis to ony of hir Hienes dwelling places, and the said licence to induir sa lang and upon the conditioun that the mynis ar granted unto thame; that is to say, thai sall pay the tent penny fre to the Quenis Grace. Besydis this, the Quenis Majestie promittis thame to tak of hir awin woddis as may serve to the bigging of neidfull houssis for the

labouraris, and na mair to wast mure and moss pertening to hir Hienes, and na uther, the Quenis Majestie permittis thame to use the samyn safar as thair ressonabill necessitie sall gif guid occasioun; and to testifie that the Quenis maist excellent Majestie hes, with avyise of hir Counsall, grantit thir articlis unto the foirsaidis Johnne and Williame, hir Hienes hes subscrivit this present, quhilk is and sal be for the space of nyne yeris nixtocum, begynning at Witsonday immediatlie following the dait of this present, and fra thyne continewing ay and quhill the foirsaid space of nyne yeris be expyrit, of als greit strenth, force, and effect as ony uther kynd of contract that could be maid in this behalf. Subscrivit at Edinburgh, the xxii day of Marche, the yeir of God j^{m}v^{c}lxiiii yeris.

Apud Striviling, decimo sexto Apprilis, anno, etc. lxv.

Sederunt. Cancellarius. Dominus Erskin. Clericus Justiciarie. Magister Johannes Hay.

Campbell. Makdowell.

Anent the terme assignit be the Lordis of Secreit Counsall to Maistir Alexander Campbell of Flenes, as having tytill to the mariage of Jane Campbell, oy and ane of the airis of umquhile Finla Campbell of Corswell, for preving of the allegeance proponit be him, allegeing that the pretendit mariage of the said Jane with George Kennedie wes compleit and solempnizat eftir the charge gevin to Uchrid Makdowell of Garthland be Robert Campbell, messinger within the burgh of Air, upoun the xxii day of December last bipast, be vertew of our Soverane Ladiis lettres undir hir Hienes subscriptioun and signet, to haif presentit the said Jane befoir hir Majestie and Lordis foirsaidis, upoun the thrid day nixt eftir the charge, as the lettres direct thairupoun and executioun thairof beris; and that the said pretendit mariage wes compleit and maid be the said Uchridis counsall, convoy, and ratihabitioun, at the leist be his knawlege; and anent our Soverane Ladiis lettres direct, chargeing Sir Duncane M^{c}Clanane, David Kennedie, bruthir to the said George Kennedie, to haif comperit befoir the saidis Lordis to haif borne leill and suythfast witnessing in sa far as thai knaw or salbe sperit at thame in the said mater, undir the pane of rebellioun and putting of thame to the horne, as the act and lettres maid thairupoun beris. The said Maistir Alexander Campbell being personalie present, and John Makdowell, bruther to the said Uchrid Makdowell of Garthland, comperand in his name, the said David Kennedie, bruther to the said George Kennedie, as ane of the witnesis summond to testifie in the said mater for preving of the said allegeance, being sworne and examinat thairupoun, and the said Sir Duncane M^{c}Clenane being lauchfullie chargit to haif comperit and borne witnessing in the said mater and nocht comperand: the saidis Lordis of Secreit Counsall continewis the said mater in the samyn forme, force, and effect as it is now, but prejudice of partie, unto the first day of August nixtocum, and ordanis lettres to be direct to charge the said Sir Duncane M^{c}Clenane of new, to compeir befoir the saidis Lordis the day foirsaid to testifie in the said mater, undir the pane

of rebellioun and putting of him to the horne, with certificatioun and he failye that lettres will be direct, chargeing him thairto simpliciter, and als to charge sic utheris personis witnessis as the said Maistir Alexander will use for preving of the said allegeance agane the day foirsaid, undir the pane of rebellioun and putting of thame to the horne, and the partiis comperand as said is ar warnit heirof apud acta.

Apud Striviling, nono die mensis Maii, anno Domini millesimo quingentesimo sexagesimo quinto.

Sederunt. Jacobus Comes de Mortoun, Cancellarius. Joannes Dominus Erskin. Clericus Justiciarie. Advocatus.

Actis concernyng the Conservatory in Flanderis.

At Striviling, the nynt day of the moneth of Maii, the yeir of God, $j^{m}v^{c}$ thre scoir fyve, the Quenis Majestie, undirstanding the privilegis of the Scottis merchantis, hir subjectis, to decay and pas furth of use in the partis of Flanderis throw the negligence of hir Hienes Conservatour and officiar, and the disordour and incivilitie usit be hir saidis subjectis marchandis eftir the hering and knawlege of the lovabill actis and constitutionis of hir Majesteis fadir the Kingis Grace, of maist wortie memorie, maid in that behalf; havand alswa respect to the commoditie and honour of hir realme, weilfair of honest and trew marchandis, and punissing of the avaricius and insaciabill cupidite of certane malivolus personis, quhilkis usurpand to thame selffis the names of marchandis, fraudulentlie transportis thair gudis and marchandices, sumtymes uncustumat, and sumtymes sic kynd of gudis as be the lawis municipall of this realme and Actis of Parliament ar expres forbidden, to the greit dampnage of this realme and the honest estait of trew marchandis; be the avyise of the Lordis of hir Secreit Counsall, hes renewit, maid, statut, ordanit, devysit, and fund ressonabill that the Actis and constitutionis following be inviolabillie observit and dewlie put to executioun be hir Hienes Conservator upoun the contravenaris as accordis.

In the first, it is ordanit be oure Soverane Lady, the Quenis Majestie, and for the weill of the marchandis that passis in Flanderis, that nane of thame sall brek bouk, nor mak marchandice quhill the tyme that thair gudis be housit, and the schip lost, and avysit with the Conservatour how the marcat is, and ask his counsall in thair selling for thair awin proffeit, under the pane of ane unlaw of fyve schillingis greit to be tane of thame that faillis heirintill.

Item, that na sellaris be oppynnit bot thryis in the oulk for selling of thair geir, undir the samyn pane.

Item, quhen thai by thair geir in the marcat, that nane sal pas bot twa in ilk burch at anis, and gif ony of thair marrowis cummis and findis thame thair, thai sall pas away furth and chaip na geir quhill thai haif done, undir the pane of the samyn unlaw.

Item, that the symmer marcattis hald fra sex houris in the morning to xi houris at none, and fra ane eftir none to sex houris at evin.

Item, for the wintir marcattis fra viii houris on the morning to ellevin houris befoir none, and fra ane eftir none to four houris at evin.

Item, quhen the marchandis hes coft thair marchandice and utheris nychtbouris of this cuntre cummis to thame and speir quhat sic guid coist thame, thai sall schaw thame the dewitie quhat sic gudis cost thame, undir the pane of the samyn unlaw.

Item, that na marchand, quhen he hes coft his gudis, sall bring thame hame himself, bot he sall cause utheris on his expenssis till turs his geir to his lugeing, or sellar, lyke ane marchand, under the pane foirsaid.

Item, that na marchand that byis his meit in the marcat turse it hame in his sleif, nor on his knyff point, undir the samyn pane unforgevin.

Item, that nane saill in marchandice without he be honestlie abelyeit lyk ane marchand; and gif he beis nocht weill cled, that the Conservatour warne him to cleith himself, and failye he and will nocht do the samyn, that the Conservatour tak alsmekill of his gudis and cleith him with, and to tak the samyn unlaw.

Item, that na Scottis hoyis nor uther Scottis schippis, nor Flemis that bringis doun geir out of the marcat, be frauchtit in the marcat for thair greit fraud, bot allanerlie befoir the Conservator, nor na uther that cumis in Scotland sic lyke, and that Actis be maid thairupoun, undir the pane of the said unlaw.

Item, quhatsumevir marchand that beis chargeit be the Conservatouris officiar till compeir befoir him, and dissobeyis and comperis nocht, sall pay the same unlaw.

Item, that Scottis skipparis and thair childir sall obey ta the Conservatour, undir the pane, ilk man that dissobeyis, of the samyn unlaw.

Item, gif thair be ony Scottismen that fechtis, tulyeis, or drawis bluid, ane of ane uther, or committis ony thift, that the Conservatour, with avyise of his counsall, sall puneis the faultouris regorouslie, and tak the samyn unlaw.

Item, gif ony Scottismen deceissis, his gudis salbe deliverit in keping to the Conservatour, quhill his wyfe or barnis send for it, or utheris freindis that hes entres thairintill.

Item, that every honest marchand sall pas with the Conservatour till all honorabill and publict actis, as quhen ony Scottismen dois for the honestlie of the realme, undir the pane of the said unlaw.

Item, that na Scottisman sall call ane uther befoir ony juge bot befoir the Conservatour, undir the pane of the samyn unlaw.

Item, that all factouris that ar Scottismen, within the partis of the Dukis landis, sall answer to the Conservatour, and nocht allege fra him to thair portary; and gif thai will abyde at thair portary, and nocht obey to the said Conservatour, the Quenis Majestie, now as than, and than as now, commandis and charges the said Conservatour that he discharge all and sindry hir liegis and marchandis dwelland within Scotland to mak ony sic thair factouris in tyme to cum, undir the pane of ten pund greit, the tane half to be applyit to our Soverane Ladiis use, and the uther half thairof

to the Conservatour for his labouris, and this to be rasit and tane of every man that failyeis or brekis this statute.

Item, that nane of oure Soverane Ladiis liegis tak upoun hand to carie ane of hir Majesteis cunyeit money, gold nor silver, furth of this realme, undir the pane of confiscatioun of the samyn, the twa part to be implyit to the behuif of the Quenis Majestie, and the thrid to the Conservatour for his laubouris; and commandis the said Conservatour to serche and seik with all diligence the brekaris of the statutis maid thairanent, as he will answer.

Item, that nane of hir Majesteis liegis tak upoun hand to bring ony maner of fals cunye within this realme, furth of ony partis quhair thai hant or frequent, undir the pane of lyfe, landis, and gudis; and als chargis and commandis the said Conservatour to serche and seik the saidis faltouris with all diligence, and als to confisk thair gudis, the twa daill to the Quenis Majesteis behuif, and the thrid to the Conservatour for his laubouris, and that he keip the faltouris in captivitie unto the tyme he adverteis hir Majestie.

Item, that the said Conservatour sall serche and seik all forbiddin gudis prohibit be the Actis of Parliament, to be had furth of this realme, in speciall talloun, flesche, and all kynd of uther forbiddin geir; and in lyke manner all maner of gudis uncustumat and nocht contenit in the cocqueit, and escheit the samyn forbiddin and uncustumat gudis, the twa part to the Quenis Majesteis use and the thrid to his awin.

Providing alwayis that the said Conservatour adverteis the Quenis Majestie and hir Thesaurare, fra tyme to tyme, of his procedingis eftir the apprehensioun of quhatsumevir transgressouris, with all diligence.

Item, that na marchand tak on hand to tak his nychtbouris marchand fra him, quhome he hes in hand to by his geir, owthir be himself or ony brokar or immediat persoun, owther in tyme of bying or selling, sa lang as thai ar togidder in cumpany, undir the pane of v ℔. of unlaw to the Conservatour, and x ℔. greit to the Dene of Gild to the toun quhair the offendar dwellis, quhilk pane the Conservatour sall uptak, and deliver the samyn to the awnar of the schip, swa that he may carie it to the Dene of Gild.

Item, it is ordanit be the Quenis Majestie that the Conservatour sall haif for his labouris of euer ilk sek of gudis twa sturis, and quho dissobeyis the samyn sall pay the said unlaw of v ℔. greit.

Quhilk actis and ordinances the Quenis Majestie ordanis to be actit and insert in the bukis of hir Secreit Counsall to lestand memorie, and the samyn being registrat, ordanis hir Hienes greit signet to be appendit to the samyn.

Apud Striviling, decimo quinto die mensis Maii, anno Domini millesimo quingentesimo sexagesimo quinto.

Presente suprema Domina nostra Regina. Sederunt. Jacobus Dux Castri Heraldi. Jacobus Comes de Mortoun, Cancellarius. Jacobus Comes de Murray. Joannes Atholie Comes. Alexander

Comes de Glencarne. Joannes Dominus Erskin. Patricius Dominus Ruthven. Joannes Maxwell de Terreglis, Miles. Wilellmus Maitland de Lethingtoun, junior, Secretarius. Joannes Bellenden de Auchnowle, Miles, Clericus Justiciarie. Magister Jacobus Makgill de Rankelour Nether, Clericus Registri. Magister Joannes Spens de Condy, Advocatus. Magister Robertus Richardsoun, Commendatarius Insule Sancte Marie, Thesaurarius.

EXTRAORDINARII RATIONE CONVENTUS.

Robertus Commendatarius Sancte Crucis. Gavinus Commendatarius de Kilwynning. Andreas Commendatarius de Jedburgh. Jacobus Commendatarius Insule Sancte Columbe. Joannes Commendatarius de Balmerynoch. David Comes de Craufurd. Hugo Comes de Eglintoun. Gilbertus Comes de Cassillis. Andreas Comes de Rothes. Georgius Comes de Caithnes. Alexander Dominus Hume. Patricius Dominus Gray. Joannes Dominus Glammis. Joannes Dominus Borthuik. Willelmus Dominus Hay de Yeister. Joannes Dominus Flemyng. Willelmus Dominus Levingstoun. Robertus Dominus Sempill. Jacobus Dominus Ross de Hacket. Patricius Dominus Lyndesay. Hugo Dominus Fraser de Lovet. Robertus Dominus Boyd. Jacobus Dominus Sumervell. Willelmus Magister de Grahame. Willelmus Magister de Sinclair.[1]

Apud Striviling, xix die mensis Maii, anno, etc. lx quinto.

Sederunt. Jacobus Dux de Chestellerault. Archibaldus Ergadie Comes. Jacobus Comes de Mortoun, Cancellarius. Jacobus Comes de Murray.[2] Joannes Atholie Comes. Alexander Comes de Glencarne. Joannes Dominus Erskin. Patricius Dominus Ruthven. Secretarius. Computorum Rotulator. Clericus Justiciarie. Clericus Registri. Advocatus.

Ane Parliament to be haldin.

The Lordis of Secreit Counsall, with avyise of the Quenis Majestie, hes thocht expedient that ane Parliament hald and beigin at Edinburgh upoun the xx day of July nixtocum, and to that effect ordanis ane command to be direct to the donatour of the Chancellarie to pas preceptis for the said Parliament in dew forme as efferis.

Convention appointed at Perth.

Item, to the effect that all thingis neidfull to be treatit upoun in the said Parliament may be fully aggreit betuix the Quenis Majestie and Lordis foirsaidis befoir the tyme thairof, and that hir Hienes may undirstand quhat thai will require of hir Majestie to be done, and be the contrair quhat hir Hienes will command thame with, it is appointit that the

[1] No minute is entered under this sederunt.

[2] In a different hand it is added, "half tyme he sits."

saidis Lordis of the Secreit Counsall sall convene in Perth upon the tent day of Junii nixtocum.

Apud Striviling, xx die mensis Maii, anno Domini j^{m}v^{c}lxv.

Sederunt. Domini ut in die predicto.

Commission to the M^{r} Maxwell anent pyracie.

The forme of the commissioun granted to the Maister Maxwell. Marie, be the grace of God, Quene of Scottis, to all and sindry oure liegis and subdittis quhome it efferis, quhais knawlege thir oure lettres sall cum, greting: Forsamekle as be the lettres of oure guid sister, the Quene of Ingland, and the lamentabill complaint of certane hir subjectis, marchandis of Carmethen, and utheris of Haverfurd West presentit unto us, we haif undirstand certane Inglis marchandis takin be ane Andro Quheit, ane pyrate, and brocht in at oure toun and port of Quhithorne, to be intromettit with be diverse oure subjectis, and coft in ane verie suspitious maner, uncustumat, nor na entres of the schip maid in the bukis of ony oure fre burrowis as use is. Of the quhilk gudis, besydes a schip alswa spulyeit, the valour be estimatioun is jugeit to sex hundrith and fourty pund stirling, the said Andro being knawin a notorious pyrat, and his marcat making being sa suspitious that it mycht weill haif apperit the gudis to be cumin be na honest and lauchfull meanis. And as we can nocht bot maist extremelie hait the wickit depredatioun of pyrattis, sa can we nocht bot evin esteme thai personis that avaciouslie resettis thair gudis takin in piracie na les culpabill, bot mon and will provyde for thair dew punisement as appertenis. Quhairfoir we haif thairfoir gevin, grantit, and committit, and be thir oure lettres gevis, grantis, and committis to oure cousing and traist counsalour, Sir Johnne Maxwell of Terreglis, Knycht, oure Wardane of the West Marchis of oure realme foranent Ingland, oure full power, speciall command, express bidding and charge, to inquire and tak inquisitioun quhat personis our liegis hes resset, ressavit, or in ony wayis coft or intromettit with ony of the said piraticall gudis, owther be the partiis narratioun or utherwayis, and that he caus command and charge all sic personis as beis delatit to him to enter thair personis in ward within the castell of Traif within sic space as he sall think convenient, thair to remane upoun thair awin expenssis ay and quhill thai haif maid fully satisfactioun of the gudis ressavit, resset, or coft be thame to the awnaris. And forder, quhill we be fully satisfeit for the contempt of oure autoritie, and thai fred and relevit be us undir the pane of tressoun. And althocht the saidis personis sall allege that thai haif alreddy maid payment of the gudis coft and ressavit be thame, that thair allegiance in that caise avale thame na thing, bot that the said Wardane compell thame to mak full and compleit payment of the same gudis to the just awnaris presentlie complenand, and use and execute this our commissioun diligentlie and without ony favour, as he will answer to us upoun his uttirmost charge and perill, delivering thir oure lettres be him dewlie execut as appertenis. Gevin undir oure signet, and subscrivit

with oure hand, at Striviling, the xx day of Maij, and of oure regnne the xxiij yeris.

Ane uther Commission.

Marie, be the grace of God, Quene of Scottis, to all and sindry oure liegis and subdittis quhome it efferis, quhais knawlege thir oure lettres sall cum, greting: Forsamekill as be the lettres of oure guid sister, the Quene of Ingland, and the lamentabill complaint of hir subjectis, Williame Dodde and Raff Rudefurde, marchandis of the toun of West Chester, presentit unto us, we haif undirstand thair schip ladin with wyne, takin be ane Andro Quheit, a pyrat, and brocht in oure realme within the boundis of Galloway, to be intromettit with be diverse oure subjectis and coft in a vera suspitious maner, uncustumat, nor na entres of the schip maid in the bukis of ony oure fre burrowis as use is. Of the quhilk gudis, besydes a schip alswa spulyeit, the valour be estimatioun is jugeit to sex hundrith and fourty pund stirling, the said Andro being knawin a notorious pyrat, and his marcat making being sa suspitious that the gudis mycht weill haif apperit to be cumin be na honest and lefull meanis. And as we can nocht bot maist extremelie hait the wickit depredatioun of pyrattis, sa can we nocht but evir esteme thai personis that avariciouslie ressettis the piraticall gudis na less culpabill, and man and will provyde for thair dew punisement as appertenis. We haif thairfoir gevin, grantit, and committit, and be thir oure lettres gevis, grantis, and committis to oure cousing and traist counsalour, Sir Johnne Maxwell of Terreglis, Knycht, oure Wardane of the West Marchis of oure realme foranent Ingland, oure full power, speciall command, expres bidding and charge, to inqueir and tak inquisitioun quhat personis our liegis hes resset, ressavit, or in ony wayis coft or intromettit with ony of the saidis piraticall gudis, owther be the partiis narratioun or utherwayis, and that he caus command and charge all sic personis as beis delatit to him to entir thair personis in ward within the castell of Traif, within sic space as he thinkis convenient, thair to remane upoun thair awin expensis ay and quhill thai haif maid fully satisfactioun of the gudis resset, ressavit, or coft be thame to the awnaris. And forder, quhill we be fully satisfeit for the contempt of oure autorite, and thai fred and relevit be us, undir the pane of tressoun; and althoch the saidis personis sall allege that thai haif alreddy maid payment of the gudis coft and ressavit be thame, that thair allegeance in that caise avale thame na thing, bot that the said Wardane compell thame to mak full and compleit payment of the samyn gudis to the just awnaris presentlie complenand, and use and execute this our commissioun diligentlie and without ony favour, as he will answer to us upoun his uttirmost charge and perell, delivering thir oure lettres be him dewlie execute as appertenis. Gevin undir oure signet, and subscrivit with oure hand, at Striviling, the xxvii day of Maii, and of oure regnne the xxiij yeir.

Apud Edinburgh, xii die mensis Julii, anno Domini j^{m}v^{c}lx quinto.

Sederunt. Matheus Comes de Levenax. Jacobus Comes de Mortoun, Cancellarius. Joannes Dominus Erskin. Richardus Maitland de Lethingtoun, Miles, Custos Secreti Sigilli. Secretarius. Computorum Rotulator. Advocatus. Thesaurarius. Clericus Justiciarie.

Assurance touart the state of religion.

Forsamekill as diverse evill gevin personis, subjectis of this realme, irkit of the guid tranquillitie quhilk sen the arryvall of oure Soverane Lady the Quenis Majestie, our Soverane Lady, within the same and during hir gratious government hes continewit, wickitlie and ungodlie hes pretendit, be untrew reportis, to alienat the hartis and lufe of the guid subjectis fra hir Hienes, and that hir Majestie had begun or intentit to impede, stay, or molest ony of thame in using of thair religioun and conscience frelie, quhilk, as in deid it nevir enterit in hir Majesteis mynd, sa can nocht hir Hienes marvell aneuch of it, seing the brute spred safar contrarious to hir expectatioun and guid pruif that all hir Hienes liegis hes had of hir clemencie in tyme bipast. Quhairfoir,—and to the effect that nane of hir Majesteis guid subjectis, owthir be thair vane brutis, or be ony seditious personis solistatioun, suffer thame selffis to be perswadit utherwyise nor the verie treuthis,—ordanis lettres to be direct to officiaris of the Quenis, sheriffis in that part, chargeing thame to pas to the marcat croces of all burrowis of this realme and utheris places neidfull, and thair, be oppin proclamatioun, to mak publicatioun of this hir Majesteis mynd and meaning, certifeing and assuring all hir guid subjectis, that as thai nor nane of thame, hes hiddertillis bene molestit in the quiet using of thair religioun and conscience, sa sall thai nocht be inquietit in that behalf in ony tyme to cum, bot behavand thame selffis honestlie as guid subjectis, sall find hir Majestie thair guid prince, willing to do thame justice, and to schaw thame favour and clemency, but innovatioun or alteratioun in ony sort.

Apud Edinburgh, decimo tertio die mensis Julii, anno Domini j^{m}v^{c}lx quinto.

Sederunt. Domini ut in die predicto.

Continewation of the Parliament.

The quhilk day, the Quenis Majestie, with avyise of the Lordis of Secreit Counsall, for certane ressonabill caussis and occasionis presentlie occurring and moving hir Hienes, hes thocht guid that the Parliament, quhilk of befoir, at Striviling, wes appointit to the xx day of July instant, be continewit quhill the first day of September nixtocum. Thairfoir ordanis lettres to be direct to officiaris of armes, shereffis in that part, to pas to the marcat croces of all burrowis of this realme, and thair, be oppin proclamatioun, in hir Hienes name and autoritie, mak publicatioun of the said continewatioun of the said Parliament to the day abonewrittin, and to command all hir Hienes thre estattis, quhilkis of befoir wes warnit to

compeir the said xx day of Julii, to compeir and keip the said first day of September, siclike as gif thai ressavit speciall preceptis and commandmentis to that effect.

Apud Edinburgh, decimo quinto die mensis Julii, anno Domini j^{m}v^{c}lx quinto.

Sederunt. Domini ut in die predicto.

Proclamatioun to cum to Edinburgh.

Forsamekill as eftir diverse wickit, ungodlie, and seditious personis, irkit of the guid tranquillitie quhilk sen the arryvall of the Quenis Majestie and during hir gracious governament hes continewit, had wickitlie and ungodlie spred untrew reportis amangis the subjectis, as that hir Majestie had intentit to impede, stay, or molest ony of thame using thair religioun and conscience frelie, the success of the untrew report hes takin effect to the greit greif of hir Hienes, seing a greit nowmer of hir liegis causles to take on armes, and thairby to ministrat sufficient occasioun of jelosy and mislyking; quhairas in deid hir Majestie nevir presumit alteratioun of the quiet and guid estait of the commoun weill. And sen this defectioun is enterit altagidder contrarious to hir Gracis expectatioun, hir Majestie bayth gaif plane declaratioun of hir will and meanyng to hir guid subjectis, and with that provyde for the dew sauftie and preservatioun of the estait quhairin God hes placeit hir Hienes; ordanis thairfoir lettres to be direct to officiaris of armes, chargeing thame to pas to the marcat croces of all burrowis of this realme and utheris places neidfull, and thair, be oppin proclamatioun, to mak publication of hir Hienes will and meaning, certifeing and assuming all hir guid subjectis, that as thai, nor nane of thame, hes hiddertillis bene molestit in the using of thair religioun and conscience frelie, sa sall thai nocht be inquietit in that behalf in ony tyme to cum, bot behavand thame selffis honestlie as guid subjectis, sall find hir Majestie thair guid prince, willing to do thame justice and schaw thame favour and clemency, but innovatioun or alteratioun in ony sort. And to charge all and sindry hir subjectis, alsweill to burgh as to land, regalitie as rialte, that thai, and ilkane of thame, weill bodin in feir of weir, addres thame to cum to hir Majestie, furneist to remane for the space of xv dayis eftir thair cuming for attending and awayting upoun hir Hienes, and that with all possibill diligence eftir thai be chargeit thairto, undir the pane to be reput and haldin assistaris and partakaris with the dissobedientis, and to be puneist thairfoir accordinglie.

Apud Edinburgh, xvij die mensis Julii, anno, etc. lxv.

Sederunt. Matheus Comes de Lennox. Jacobus Comes de Mortoun, Cancellarius. Joannes Dominus Erskin. Custos Secreti Sigilli. Secretarius. Thesaurarius. Computorum [Rotulator]. Clericus Registri. Clericus Justiciarie. Advocatus.

EXTRAORDINARII.

Joannes Dominus Flemyng. Decanus de Restalrig, Presidens Sessionis. Robertus Carnegy de Kynnard, Miles. Magister Jacobus Balfour, Rector de Flysk.

Coillis.

The quhilk day, it wes menit and exponit to the Lordis of Secreit Counsall that albeit be ane act of the Quenis Majesteis Parliament it be prohibit that ony coillis be transportit furth of the realme, yit it could nocht be aganis the commoun weill althocht smiddy coill wer careit away.[1] The Lordis, eftir ressoning and consideratioun had in this behalf, thinkis that the Quenis Majestie may dispens with the said Act of Parliament, and gif licencis for careing and transporting of smedy coill onlie furth of this realme, unto the tyme of a Parliament, at quhilk tyme it may be avysit with the thre estaittis quhethir it be neidfull that the said Act of Parliament remane unalterit or nocht.

Master of Requestis and Advocat direct touart the Erllis of Ergile and Murray.

The quhilk day, the Quenis Majestie, being informit how James, Erle of Murray, and Archibald, Erle of Ergyle, hes planelie said and perswadit all men safar as in thame lyis to beleif that the deid of the said Erle of Murray wes conspyrit and devysit in the bak gallerie of hir Hienes ludgeing in Sanct Johnnestoun be Henry Erle of Ross and utheris being in hir Majesties cumpany; quhilk taill and brute, besydis the sclandir that it importis to thame quhilkis are allegeit to haif bene the authoris and devysaris, is to hir Hienes self verie prejudiciall, and sic a mater as hir Majestie can nocht suffir untryit; and thairfoir hes presentlie thocht guid, with the avyise of the Lordis of hir Prevy Counsall present, to send and direct Maistir Johnne Hay, Commendatare of Balmerynoch, hir Hienes Maistir of Requestis, and Maistir Robert Creychtoun of Elyok, hir Graces advocat, towart the saidis Erle of Murray and Ergyle, or ather of thame quhome thai sall apprehend. And that thai command and in the Quenis Majesteis name and autoritie requeir the saidis Erle of Murray and Ergyle, or ather of thame, upoun thair allegeance, and as thai will declair thame guid and faythfull subjectis to hir Grace, and nobill men, to declair planelie and uprychtlie the wordis and brute maid to thame of the said allegeit conspiracie, the forme and maner of it, and the name of the reportar; and that thai putt thair said declaratioun in writ, and, subscrivit with thair handis, send it agane with hir saidis Maistir of Requestis and Advocat to hir Majestie. Certifeing and assuring thame gif thai use delay heirin, or in ony wayis concelis the sempill trewth of the said brute, and report maid to the effect that the samyn may cum to a cleir tyrall, than hir Majestie will think na utherwyise of thame bot that thai thameselffis hes forgit and inventit this brute and taill of thair awin hedis, thairby to raise tumult, and be sic untrew report to bring hir Hienes and the said Erle of Ross in hatrent of hir guid subjectis.

[1] Ane Act of the Quenis Majesteis Parliament, viz., 1563, c. 22, "Anent the transporting of coillis furth of the realme."—Act. Parl. Scot. ii. 543.

Apud Edinburgh, decimo nono die mensis Julii, anno, etc. lxv.

Presente Regina. Sederunt. Matheus Comes de Lennox. Jacobus Comes de Mortoun, Cancellarius. Joannes Dominus Erskin. Custos Secreti Sigilli. Secretarius. Thesaurarius. Clericus Registri. Clericus Justiciarie. Advocatus. Decanus de Restalrig. Presidens Sessionis.

Extraordinarii Ratione Conventus.

Alexander Dominus Hume. Joannes Dominus Flemyng. Willelmus Dominus Levingstoun. Patricius Dominus Lyndesay. Hugo Dominus Lovet. Jacobus Dominus Somervell. Joannes Dominus Borthuik. Andreas Magister de Errole. Robertus Commendatarius de Dunfermling. Robertus Commendatarius Sancte Crucis. Willelmus Commendatarius de Kelso. Andreas Commendatarius de Jedburgh. Marcus Commendatarius de Newbattle. Robertus Commendatarius de Deir. Alexander Stewart de Gartleis. Walterus Ker de Cesfurd. Thomas Ker de Pharnyhirst. Joannes Stewart de Tracquair. Willelmus Edmestoun de Duntreth.

Assurance to the Erle of Murray.

The quhilk day, the Quenis Majestie having undirstandit, be the report of Maistir Johnne Hay Commendatare of Balmerynoch hir Hienes Maistir of Requestis, and Maistir Robert Creichtoun of Elyok hir Graces Advocat, —quhilkis, be hir Majesteis commandment, wer direct towart the Erlis of Ergyle and Murray,—amangis utheris purposis haldin with thame, had declarit that he wes contentit to cum to hir Majestie for declaratioun of the trewth of the report maid to him towart the allegeit conspiracie of his slauchtir in Sanct Johnnestoun, sa that he mycht be assurit of his lyff; and hir Majestie, willing that the trewth and sempill veritie of the said untrew brute may be tryit, and that the said Erlis suspitioun and feir may be removit, to the effect that he may be present, and that he be put in full assurance alsweill of his lyfe as be fre of all uther bodelie harme or displesour quhatsumevir, be quhatsumevir persoun: hir Majestie hes assurit, and be the tennour heirof, in the word of a Prince, assuris and takis undir hir Gracis protectioun and defence aganis all deidlie the said Erle of Murray, and sic personis as salbe in his cumpany; lyk as alswa the Lordis of hir Secreit Counsall, and utheris of hir nobilitie present, upoun thair honouris, credat, and guid fayth, hes assurit and assuris thame that thai may sauflie cum and repair towart hir Majestie upoun the thrid day nixt eftir the resset and sycht heirof, to the effect that the said Erle may frelie discharge him of the said brute allegeit be him as appertenis on his honour, and cum fully instructit with all thingis necessar for verificatioun thairof; and nowther he, nor thai of his cumpany, salbe molestit, inquietit, or in ony sort grevit or troublit in bodiis or gudis in thair cuming and reparing towart hir Majestie, remanyng, departing, and quhill he and thai be at the same place and rowme he cummis fra in full libertie at

thair plesour. And in fayth and securitie heirof, the Quenis Majestie hes subscrivit thir presentis with hir hand; lyke as alswa the Lordis of hir Secreit Counsall, and utheris of hir nobilitie present at hir Hienes commandment, hes likewyise subscrivit the samyn.

Charge on the Erle of Murray.

The quhilk day, forsamekill as the Quenis Majestie directit hir charge of befoir, with avyise of hir Counsall, commanding James Erle of Murray, to send his declaratioun in writ, tuicheing the report maid to him of the conspiracie of his slauchtir allegit devysit in Sanct Johnnestoun, quhilk being brocht to hir Majestie be hir servandis, send for that purpois, it apperis be hir Hienes and hir Counsall that his purgatioun in that behalf is nocht sa sufficient as the mater requirit; thairfoir hir Majestie, to the effect the said Erle of Murray may pretend na excuis, bot that he may suirlie repair towart hir Grace for making of his purgacioun and forder declaratioun of the trewth anent the said allegeance, ordanis ane officiar of armes to pas, command, and charge the said Erle, yit as of befoir, that he, within thre dayis nixt eftir the said charge, present him self befoir the Quenis Majestie, within hir Graces Palice of Halierudhous, to the effect abonewrittin; with certificatioun to him and he failye thairin, that hir Hienes will use sic regour aganis him in bringing of the said allegeance to lycht as hir Grace may of the lawis of hir realme.

Apud Edinburgh, xx die mensis Julii, anno Domini millesimo quingentesimo sexagesimo quinto.

Sederunt. Ordinarii ut in die predicto.

Proclamation that nane invaid the tyme of Convention.

Forsamekill as diverse nobill men, at the Quenis Majesteis commandment, ar presentlie convenit and assemblit within this burgh of Edinburgh to do hir Hienes service; and during the tyme of thair remanyng, it is convenient that thai lay asyde all particular querrellis, grudgeis, and elestis, gif ony be standing amangis thame, but ony maner of invasioun or displesing contenance to be schawin be ony of thame to utheris, quhairthrow ony tumult may be rasit, or hir Majesteis service in ony sort impedit; thairfoir ordanis ane maser or uther officiar of armes to pas to the marcat croce of the burgh of the said Edinburgh, and thair, be oppin proclamatioun, in hir Majesteis name and autorite, command and charge all and sindry hir Hienes liegis presentlie cum or that sal happin to cum and resort towart this burgh, of quhatsumevir estait or degre that thai be of, that thai nor nane of thame tak upoun hand to invaid, molest, or persew utheris in ony wayis, or to mak ony provocatioun or occasioun of displesour, in word or deid or contenance in thair cuming, remaning or departing, owther for auld feidis or new, under the pane of deid.

Apud Edinburgh, xxii die mensis Julii, anno Domini millesimo quingentesimo sexagesimo quinto.

Sederunt. Domini ut in die predicto.

Forsamekill as eftir diverse wickit, ungodlie, and seditious personis, irkit of the guid tranquillitie quhilk sen the arryvall of the Quenis Majestie and during hir gracious governament hes continewit, had spred untrew reportis amangis the subjectis,—as that hir Majestie had intentit to impede, stay, or molest ony of thame in the using of thair religioun and conscience frelie,—the success of the quhilk untrew report hes takin effect to the greit greif of hir Hienes, seing a greit nowmer of hir liegis causles to haif takyn up armes, and thairby to ministrat sufficient occasioun of jelosy and mislyking, quhairas in deid hir Majestie nevir presumit alteratioun of the guid and quiet estait of the commoun weill. And sen this defectioun is enterit altogidder contrarious to hir Graces expectatioun, hir Majestie man provyde for the dew sauftie and preservatioun of the estait quhairin God hes placit hir Hienes. Ordanis thairfoir lettres to be direct to officiaris of armes, shereffis in that part, chargeing thame to pas to the marcat croces of the burrowis of Edinburgh, Hadingtoun, Dunse, Lawder, Peblis, Lanerk, Linlythquow, Striviling, Clakmannane, Kinross, Cowpar, Dumbartane, Renfrew, and thair, be oppin proclamatioun, to command and charge all and sindry hir Hienes liegis, alsweill to burgh as to land, regalitie as rialte, that thai and ilk ane of thame, weill bodin in feir of weir, with xv dayis provisioun eftir thair cuming, addres thame to cum to hir Majestie with all possibill haist and diligence, eftir thai be chargeit thairto, for awayting and attending upoun hir Hienes, under the pane of tinsall of lyff, landis and gudis.

Acquittance to Acheson and Aslowan.

At Edinburgh, the xxiiij day of Julii, the yeir of God j^{m}v^{c} thre scoir fyve yeris, in presence of the Lordis of Secreit Counsall, comperit Maistir Robert Richertsoun, Commendatare of Sancte Marie Ile, Thesaurare to our Soverane Lady, and gaif in this acquittance undirwrittin, subscrivit with his hand, of the quhilk the tennour followis—at quhais desyre the saidis Lordis interponit thair auctorite:—I, Maistir Robert Richertsoun, Commendatare of Sanct Marie Ile, Thesaurare to our Soverane Lady, be the tennour heirof grantis me fully contentit, satisfeit, and payit, be the handis of Johnne Achesoun Maistir Cunyeour to the Quenis Majestie, and Johnne Aslowane, burges of Edinburgh, of the soum of ane thowsand, ane hundrith, lxxxxvi ℔. xi ß. x ₰. ob., as for the full and compleit price of nyne hundrith unce of uttir fyne silver, for quhairof the saidis Johnne Achesoun and Johnne Aslowane wer actit and obligat in the bukis of Secreit Counsall; and thairfoir I exoner, quitclamis, and dischargis the saidis Johnne Aslowane and Johnne Achesoun of the samyn nyne hundrith unce of silver for now and evir, and am content and consentis that thair obligatioun be deleit furth of the saidis bukis, and that this my acquittance be insert thairin ad perpetuam rei memoriam. In witness heirof, I haif sub-

scrivit this my acquittance with my hand, at Striviling, the xx day of Apprile, the yeir of God $j^{m}v^{c}$ thre scoir fyve yeris, befoir thir witnessis: Maistir Johnne Rutherfurd Thesaurare Clerk, James Nysbet, and Alexander Hay, with utheris diverse.

Apud Edinburgh, xxviij die mensis Julii, anno Domini millesimo quingentesimo sexagesimo quinto.

Sederunt. Matheus Comes de Lennox. Jacobus Comes de Mortoun, Cancellarius. Joannes Comes de Atholl. Joannes Dominus Erskin.[1] Patricius Dominus Ruthven. Secretarius. Thesaurarius. Computorum Rotulator. Clericus Registri. Clericus Justiciarie.

Kirkmichaell. Coupland.

The quhilk day, anent the complaint maid be Adame Coupland in Mynnigep, aganis Williame Kirkpatrik of Kirkmichaell, makand mentioun, that quhair the said Williame, with his complices, in the moneth of Maii last bipast, undir silence of nycht, befoir the sone rysing in the morning, maisterfullie reft and tuik fra the said Adame sex scoir heid of nolt, being in the possessioun of him, upoun the saidis landis of Mynnegep, of the quhilkis ane part pertenit to the Lard of Johnnestoun, and ane part to the said Adame him self; and withhaldis as yit of the haill nowmer xxvi ky, price of ilk pece oureheid, sex pund. And at the samyn tyme alswa reft and tuik away aucht scoir fourtene heid of scheip thairof,—fyve lambis, and the haill remanent auld scheip,—price of ilk scheip oureheid, xx ß., and price of ilk lamb, viii ß., and dalie slayis the same at his plesour. And the saidis Williame and Adame comperand bayth in presence of the saidis Lordis of Secreit Counsall, and the mater being ressonit, the said Williame allegeit he had intromettit with the saidis gudis be a lauchfull and sufficient ordour, and in the intromissioun thairof had committit na wrang. The Lordis of Secreit Counsall having harde the allegeance of bayth the saidis partiis, decernis and ordanis the said Williame Kirkpatrik to randir and restoir the gudis, nolt, and scheip abonewrittin, to the ground of the saidis landis of Mynnegep, of the quhilk thai wer awaytakin, als guid as thai wer the tyme of the awaytaking of the samyn, or the avale of thame, price foirsaidis, betwix and the xiiij day of August nix to cum, to remane upoun the ground of the saidis landis undisponit in ony sort, ay and quhill the proces and procedingis of the said Williame Kirkpatrik, usit aganis the said Adame Coupland may be sichtit be the Clerk of Register and Advocat, and thair declaratour had upoun the formalitie thairof; and als ordanis the said Adame Coupland to find cautioun sufficient and responsall that the saidis gudis being restorit to the said ground sal be furthcumand to the said Williame gif, be the declaratour of the saidis Clerk of Register and Advocat, it beis fund that the samyn justlie appertenis to him; and als ordanit and commandit Sir Johnne

[1] A note appended to this name, written in a different hand, runs: "This last tyme he sits as Lord."

Maxwell of Terreglis Knycht, Wardane of the West Marchis, within quhais charge bayth the saidis partiis dwellis, to caus the saidis gudis be restorit, and the said cautioun and souertie be fund in maner abonewrittin, as he will answer to the Quenis Majestie upoun his charge, and, gif neid be, ordanis lettres to be direct heirupoun in forme as efferis.

New Assurance to the Erl of Murray.

The quhilk day, the Quenis Majestie, having undirstand be the report of hir traist cousingis and counsalouris, Johnne Lord Erskin, and Sir Johnne Maxwell of Terreglis Knycht Wardane of the West Marchis of hir realme, the ardent desyir quhilk James Erle of Murray beris, to declair the debtfull obedience aucht be him to hir Majestie, with quhat ernist will he desyris to speik with hir Majestie, and for dischargeing of him self of sic brutis as hes bene reportit to him towart the allegit conspiracie of his slauchtir. And to the effect that he may be present for demonstratioun thairof, and be put in full assurance, alsweill of his lyff as be fre of all uther bodelie harme or displesour quhatsumevir, be quhatsumevir persoun, hir Majestie hes assurit, and be the tennour heirof, in the word of a Prince, assuris and takis undir hir Graces protectioun and defence aganis all deidlie, the said James Erle of Murray, and four scoir utheris personis with him in cumpany or within, of quhatsumevir estait, degre, qualitie, or conditioun thai be of. Lyke as alswa the Lordis of hir Secreit Counsall and utheris of hir nobilitie present, upoun thair honouris, credit, and guid fayth, hes assurit, and assuris thame, that thai may sauflie cum and repair towart hir Majestie betuix the dait heirof and the last day of July instant, at ony time to the effect abonewrittin; and nowther he nor thai of his cumpany salbe molestit, inquietit, or in ony sort grevit or troublit, in bodiis or gudis, in thair cuming and repairing towart hir Majestie, remanyng, departing, and quhill thai be at the same place and rowme thai cum fra in full libertie at thair plesour and fourty aucht houris thaireftir. And in fayth and securitie heirof the Quenis Majestie hes subscrivit thair presentis with hir hand; lyke as alswa the Lordis of hir Secreit Counsall and utheris of hir nobilitie present, at hir Hienes commandment, hes likewyise subscrivit, the samyn day, yeir, and place foirsaidis.

Proclamation towart the Kingis Grace.

Marie, be the grace of God, Quene of Scottis, to our lovittis Lyoun king of armes and his brethir herauldis, and to our lovittis messingeris, oure shereffis in that part, conjunctlie and severalie, specialie constitute, greting: Forsamekill as we intend, at the plesour and will of God, to solempnizat and compleit the band of matrimony, in face of haliekirk, with the rycht nobill and illustir Prince Henry, Duke of Albany, etc.; in respect of the quhilk mariage, and during the tyme thairof, we will, ordane, and consentis that he be namit and stylit King of this our kingdome, and that all oure lettres to be direct eftir oure said mariage, swa to be completit, be in the names of the said illuster Prince, our future husband, and us as King and Quene of Scotland conjunctlie. Oure will is heirfoir, and we charge you straitlie, and commandis that incontinent, thir oure lettres sene, ye pas to

the marcat croce of our burgh of Edinburgh, and all utheris places neidfull, and thair, be oppin proclamatioun, mak publicatioun and intimatioun heirof to all and sindry oure liegis and subdittis as appertenis; and thaireftir we ordane thir our lettres to be registrat and insert in the bukis of oure Counsall ad perpetuam rei memoriam, quhairunto thir presentis sall serve our Clerk of Register for a sufficient warrand, as ye will answer to us thairupoun, delivering thir oure lettres, be you dewlie execut and indorsat, agane to the berare. Subscrivit with oure hand, and gevin undir our signet, at Halierudhous, the xxviii day of July, and of oure regnne the xxiii yeir.

The same Proclamation renewit eftir the mariage.

We do you to wit, forsamekill as proclamatioun wes maid at this croce, upoun the xxviii day of Julii instant, be vertew and at command of the Quenis Majestie oure Soverane Ladiis lettres, makand mentioun that forsamekill as hir Hienes, at the will and plesour of God, intendit to solempnizat and compleit the band of matrimony, in face of haliekirk, with the rycht nobill and illustir Prince Henry, than Duke of Albany, etc. And in respect of the said mariage, and during the tyme thairof, hir Majestie will, ordanit, and consentit that he sould be namit and stylit King of this kingdom, and that all lettres to be direct eftir the said mariage sould be in the name of the said illustir Prince, than hir Hienes future husband, and of hir Majestie, as King and Quene of Scotland, conjunctlie, as the lettres direct thairupoun, and proclamit as said is, mair largelie proportis. And now sen the said mariage is fully solempnizat and compleit, at the plesour and will of God, we command and charge, in the name and autoritie of thair Majesteis, that all lettres quhilk heireftir salbe direct and set forth be in the names of bayth thair Majesteis, as King and Quene of Scotland, conjunctlie; and heirof presentlie we mak intimatioun and publicatioun to you, all and sindry, thair Hienessis liegis and subdittis. Subscrivit be thair Majesteis and undir thair signet, at Halierudhous, the penult day of July, and of our regnnes the first and xxiii yeiris. 1565.

Apud Edinburgh, primo die mensis Augusti, anno Domini millesimo quingentesimo sexagesimo quinto.

Sederunt. Jacobus Comes de Mortoun, Cancellarius. Joannes Comes de Athole. Georgius Comes de Errole. Alexander Comes de Glencarne. Joannes Comes de Mar.[1] Patricius Dominus Ruthven. Joannes Maxwell de Terreglis, Miles. Secretarius. Thesaurarius. Computorum Rotulator. Clericus Registri. Advocatus.

EXTRAORDINARII.

David Comes de Craufurd. Gilbertus Comes de Cassillis. Alexander Dominus Hume. Robertus Dominus Sempill. Jacobus Dominus Ross de Hacket. Jacobus Dominus Somervell. Hugo

[1] Appended is a note, written in a different hand: "The 1st tyme he sits Earle."

Dominus Lovett. Allanus Dominus Cathcart. Patricius Dominus Lyndesay de Byris. Patricius Dominus Gray. Willelmus Magister de Grahame. Willelmus Magister de Sinclair. Joannes Dominus Glammis. Joannes Dominus Borthwik. Willelmus Dominus Hay de Yeistir. Willelmus Dominus Levingstoun. Laurencius Magister de Oliphant.

Lord Flemyng Chalmerlane gaif his ayth.

The quhilk day, Johnne Lord Flemyng, being constitute Chalmerlane of Scotland, be the King and Quenis Majesteis, and Maistir Ischear of thair Chalmer Durris, gaif his bodelie aith that he sould lelelie and trewlie use and exerce the offices of Chalmerlanerie and Maistir Ischearie, and serve thair Hienessis thairin faythfullie in all thingis concerning the saidis offices, without respect, as he will answer to God and hir Hienes thairupoun.

Charge on the Erl of Murray.

The quhilk day, forsamekill as James Erle of Murray wes nocht onelie diverse tymes gentillie requirit, bot als in the Quenis Majesteis name and autoritie, be vertew of Actis of hir Graces Counsall commandit and chargit to haif presentit him self befoir hir Hienes at ane certane day bigane, to haif answerit to sic thingis as sould be laid to his charge, and hes nocht the les hiddertillis disobedientlie absentit himself. Thairfoir the King and Quenis Majesteis, with avyise of the Lordis of thair Secreit Counsall, and utheris, thair nobilitie, present, ordanis lettres to be direct to officiaris of armes, chargeing thame to pas, and in thair Hienessis name and auctoritie command and charge the said James Erle of Murray, personalie, or at his dwelling place, to present him self befoir thair Majesteis at Edinburgh, or quhair it sal happin thame to be for the tyme, the first day of August instant, to answer to sic thingis as salbe laid to his charge, undir the pane of rebellioun and putting of him to the horne; and gif he failyeis thairin, the said day being bipast, to denunce him rebell and put him to the horne, and to escheit, etc.

Commendatar of Halyrudhous. Mudy.

The quhilk day, forsamekill as Maistir Williame Mudy, Chalmerlane of Orknay, become actit and obleist in the bukis of Secreit Counsall that the schip intromettit with be Thomas Mudy his bruther, as a pyrat, salbe furthcumand to all partiis clamand interesse thairto, as accordis of the law, lyke as at mair lenth is contenit in the Act maid thairupoun, of the dait the xx day of October last bipast. Sen the quhilk tyme na party hes clamit the said schip, bot onelie ane Johnne Davidsoun, quha, for a certane soum of money payit to him be Waltir Bertoun in Brynt Iland, hes sauld and transferrit the said schip, with all hir geir, grayth, victualis, and furnessing to the said Waltir; and Robert, Commendatare of Halierudhous, hes obtenit the said Walteris rycht and interes of the same schip, and thairfoir hes of new becum actit and obleist in the saidis bukis of Secreit Counsall, that the said schip, being deliverit to him, schö, with hir grayth and furnissing, in the same estait as schö salbe restorit and deliverit, or the avale of hir according as schö salbe apprysit, salbe furthcumand to ony partiis justlie havand interesse to hir, as appertenis of the law.

Apud Edinburgh, secundo die mensis Augusti, anno Domini millesimo quingentesimo sexagesimo quinto.

Sederunt. Ordinarii ut in die predicto.

Charge on the Erl of Rothes and utheris.

The King and Quenis Majesteis, for certane ressonabill caussis and consideratione moving thair Hienessis, ordanis lettres to be direct to officiaris of armes, chargeing thame to pas, and, in thair Majesteis names and autoritie, command and charge Andro Erle of Rothes, and Williame Kirkcaldy of Grange Knycht, to pas and entir thair personis in ward within the Castell of Dunbartane, and Maistir James Halieburtoun Provest of Dunde, to pas and entir thair personis in ward within the Castell of Dunbar, thair respective to remane upoun thair awin expenssis, ay and quhill thai be fred be thair Majesteis, within fyve dayis nixt eftir thai be chargeit thairto, undir the pane of rebellioun and putting of thame to the horne; and that thai cum to the Secretare or his deputtis, keparis of the signet, and ressave utheris lettres for thair ressait in ward within the said castellis respective; the quhilk fyve dayis being bipast,—and thai dissobeyand and nocht fulfilland the command of the lettres, nor yit enterand thair personis in ward within the saidis Castellis,—to denunce thame rebellis, and put thame to the horne, and to escheit, etc., and to charge thame personalie or at thair dwelling places.

Apud Edinburgh, tertio die mensis Augusti, anno, etc. lxv.

Souerteis for the Lord Gordon.

The quhilk day, Alexander Lord Hume, Sir Johne Maxwell of Terreglis Knycht, Johnne Gordoun of Lochinvar Knycht, Alexander Stewart of Gartleis Knycht, Mathew Campbell of Lowdoun Knycht, and James Cokburne of Scraling Knycht, ar becum actit and obleist, conjunctlie and severalie, as cautionaris for George Lord Gordoun, that he sall entir his persoun in ward within quhatsumevir ward the King and Quenis Majesteis pleissis command, upoun twenty dayis warning, eftir thai be warnit and chargeit, undir the pane of ten thowsand pundis: In takin quhairof thai haif subscrivit this present Act with thair handis, and consentis that the same be actit and registrat in the bukis of Secreit Counsall, and lettres and executoriallis to be direct thairupoun, gif neid be, in forme as efferis. Sic subscribitur, Alexander Lord Hume, Johnne Maxwell, Mathow Campbell of Lowdoun, Lochinvar, Garleis, James Cokburne of Scraling.

Apud Edinburgh, quarto die mensis Augusti, anno Domini millesimo quingentesimo sexagesimo quinto.

Sederunt. Jacobus Comes de Mortoun, Cancellarius. Joannes Comes de Athole. Alexander Comes de Glencarne. Joannes Comes de Mar. Patricius Dominus de Ruthven. Joannes Maxwell de Terreglis, Miles. Secretarius. Thesaurarius. Computorum Rotulator. Clericus Registri. Advocatus.

Proclamation to have past in Fiffe.

Forsamekill as eftir oure Soveranis Lord and Ladiis commandmentis direct, certane personis, inhabitantis of the cuntre of Fyff and utheris, hes absentit

thame selffis hiddertillis, of quhais guid behaviour and obedience thair Majesteis hes lytill expectatioun. And thairfoir to the effect that thai may be reducit to thair dewitie or punissit for thair contempt and inobedience, thair Hienessis intendis, God willing, to repair in the said cuntre of Fyff, quhair it is neidfull that thai be weill and honorabillie accumpaneit with thair faythfull and trew liegis. Ordanis thairfoir lettres to be direct to officiaris of armes, chargeing thame to pas to the marcat croces of the burrowis of Edinburgh, Hadingtoun, Linlythquow, Striviling, Clackmannane, Kinross, Uchterardour, Perth, Cowpar, and all utheris places neidfull, and thair, be oppin proclamatioun, in thair Majesteis name and autoritie, command and charge all and sindry Erlis, Lordis, Baronis, frehalderis, landitmen, and substantious gentilmen, alswell within regalitie as rialte, dwelland within the boundis of the sherefdomes of Edinburgh principall, and within the constabularie of Hadingtoun, Linlythquow, Striviling, Clakmannane, Kinross, Perth, Fyff, and stewartrie of Stratherne, that thai, and ilkane of thame, with thair houshaldis, honest friendis, and servandis, weill bodin in feir of weir, and providit for xv dayis eftir thair cuming, convene and meit the King and Quenis Majesteis at the places and upoun the dayis respective eftir following. That is to say, the inhabitantis of the sherefdome of Edinburgh principall, constabularie of Hadingtoun and sherefdome of Linlythquow, to convene at Edinburgh, upoun Fuirsday the ix day of August instant; the inhabitantis of the sherefdomes of Striviling and Clakmannan to meit thair Majesteis betuix Linlythquow and Falkirk, upoun Settirday, the xi day of the same moneth; the inhabitantis of Stratherne to meit thair Hienessis at Striviling Brig, upoun Sounday, the xii day thairof; the inhabitantis of the sherefdomes of Perth, Fyff, and Kinross, to meit thair Majesteis at Falkland, upoun Twysday, the xiiij day of the moneth foirsaid,—to attend and await upoun sic commandment and directioun as salbe gevin thame concerning oure saidis Soveranis service and furthsetting of thair autoritie, undir the pane of tinsall of lyff, landis, and gudis; and als to charge all and sindry inhabitantis of the burgh of Edinburgh betuix lx and xvi yeris, and utheris fensabill personis, bodin in feir of weir, and providit for xv dayis eftir thair departing out of Edinburgh, to convoy thair Majesteis according to the charge and command quhilk thai sall ressave undir the panis abonewrittin; and that lettres be direct heirupoun, togidder or severalie, for ilk toun and sherefdome be the self.

Apud Edinburgh, septimo die mensis Augusti, anno Domini millesimo quingentesimo sexagesimo quinto.

Prohibition to resset the Erl of Murray.

Forsamekill as James, Erle of Murray, being chargit, be vertew of our Soveranis Lord and Ladiis lettres, to haif presentit himself befoir thair Hienessis at ane certane day bigane, to haif answerit to sic thingis as sould haif bene laid to his charge, undir the pane of rebellioun and putting of him to the horne, hes, nochtwithstanding, contempnandlie dissobeyit, and

thairfoir is ordourlie denuncit thair Hienessis rebell upoun the sext day of August instant, and nevirtheles resortis and frequentis in the cuntre, resset and suppliit as gif he wer thair fre liege. Thairfoir, and to the effect that nane of thair Majesteis liegis sall pretend ignorance, ordanis lettres to be direct to officiaris of armes, chargeing thame to pas, and, in thair Hienessis name and autoritie, mak intimatioun and publicatioun of the said denunciation to James Duke of Chestellarault, Archibald Erle of Ergyle, personalie, or at thair dwelling places, and all utheris the liegis, be oppin proclamatioun at all marcat croces of the heid burrowis of this realme and utheris places neidfull; and als to command and charge thame that nane of thame tak upoun hand to resset, supple, or intercommoun with the said James Erle of Murray, in thair houssis, cuntreis, or utherwyise in tyme cuming, undir the pane to be reput and haldin as plane partakaris with him in his dissobedience and rebellioun, with certificatioun to thame, and thai do in the contrair, thair Majesteis will persew the contravenaris of this thair commandment, as rebellis, with all extremitie in exempill of utheris.

Apud Edinburgh, nono die mensis Augusti, anno Domini millesimo quingentesimo sexagesimo quinto.

Sederunt. Jacobus Comes de Mortoun, Cancellarius. Joannes Comes de Athole. Joannes Comes de Mar. Patricius Dominus Ruthven. Secretarius. Thesaurarius. Computorum Rotulator. Clericus Registri. Clericus Justiciarie. Advocatus.

Discharge of the raid in Fyffe.

The quhilk day, the King and Quenis Majesteis, remembering of the lait proclamationis, direct to the Sherefdomes of Edinburgh principall, and within the Constabularie of Hadingtoun, Linlythquow, Striviling schyre, Clackmannane, Kinross, Fyff, Perth, and Stewartrie of Stratherne, commanding Erlis, Lordis, Baronis, frehaldaris, and substantious gentilmen, accumpaneit with thair houshaldis and freindis, to haif convenit at certane prefixt dayis and places mentionat in the saidis proclamationis for accumpaneing of thair Majesteis; nevirtheles, for certane neidfull occasionis hes thocht guid to stay that thair vayage, and to the effect that the subjectis within the saidis boundis pretend na ignorance, nor put thame selffis to na superflew expenssis, ordanis lettres to be direct to mak publicatioun of the stay, and continewatioun of thair Hienessis appointit dyet foirsaid, swa that nane of the saidis Erlis, Lordis, Baronis, frehaldaris, and gentilmen sall neid to keip the appoyntit places, nor to awayit on, nochtwithstanding the formar proclamatioun past thairupoun; alwayis commanding and chargeing thame to be in reddines, as thai salbe adverteist and warnit upoun xxiiii houris warning, according to the said proclamatioun in all pointis, and undir the panis contenit in the samyn.

Apud Edinburgh, decimo die mensis Augusti, anno Domini millesimo quingentesimo sexagesimo quinto.

Sederunt. Jacobus Comes de Mortoun, Cancellarius. Joannes Comes de Athole. Secretarius. Thesaurarius. Clericus Registri. Clericus Justiciarie. Advocatus.

Barnard Byre, Dutcheman.

The quhilk day, anent the supplicatioun presentit be Barnard Byre, citienar of Danskin, procuratour for James Conradt, alswa citienar thairof, makand mentioun that quhair he obtenit ane decre of the Lordis of Secreit Counsall, decerning Robert Ker and David Forester, cautionaris for him, to deliver to him certane stekis of cairsay and utheris gudis, quhilkis be thame wer ressavit fra the Thesaurare and be him, at command of the Quenis Majestie, fra certane pyrattis, that brocht the samyn within the realme; in the quhilk decreit the saidis Lordis ordanit that the remanent clayth, togidder with xii mailye coittis, xi lesert skynnis, fyve paintit claythis, twa faddome of unblechit Holand clayth, ane culvering, ane reid coit, lxxxxvi stringis to hattis, thre stekis of cammerage, and ane pece of blak dinnostage, four rollis of Holand clayth, ane goun of drogat, ane goun of blak, ane pair of almany stokkis, ane lytill knok with ane walknair, twa lytill polkis of ginger, ane lytill polk of peppir, extending to twa pund wecht or thairby, togidder with ane silver cowp dowbill ourgilt, ammallit with cristallyne,—sould still be retenit and kepit be the said cautionaris as of befoir, ay and quhill the said Barnard, or utheris havand interesse, report and bring sufficient testimoniall, berand the gudis abonewrittin to be thair propir gudis and marchandices, with power to ressave the samyn, gif acquittance thairof, and to warrand and keip the Quenis Majestie, hir realme and liegis, skaythles of the same at all handis, as efferis; and that the saidis cautionaris haif hir Hienes and hir Counsallis commandment to deliver the same, lyke as at mair lenth is contenit in the said decreit, of the dait the penult day of December last bipast. And now the said Barnard hes reportit a testimoniall of the toun and citie of Danskin, proportand that James Conradt, citienar thairof, comperand befor the magistratis of the same, had constitute the said Barnard Byre his undoutit procuratour, to ressave the gudis undirwrittin, and diverse utheris gudis mentionat in the saidis lettres, with power to gif acquittance upoun the ressait thairof, and bering that the said James Conradt wes becum cautioun to warrand the saidis cautionaris in caise of evictioun of the saidis gudis, lyke as the saidis lettres, datit at Danskin, the sext day of Apprile last bipast, mair largelie contenis; quhilkis being considderit be the Lordis, and thai rpylie avysit, thay haif decernit, and be the tennour heirof decernis, ordanis, and commandis the saidis Robert Ker and David Forester, cautionaris abonewrittin, that thai incontinent, realie and with effect, deliver to the said Barnard Byre, procuratour foirsaid, the said gown of drogat lynit with sabillis, the said blak gown lynit with toddis, the said silver cowp ammallit with cristallyne, the said pair of almany stokkis, the said lytill knok with the walknair, and the paintit claythis abonewrittin, to be transportit be

him, or utherwyise usit to the behuif and utilitie of the said James Conradt awnar thairof,—the said Barnard gevand ane sufficient acquittance and discharge upoun the resset thairof, quhilkis salbe als sufficient warrand and releif to the saidis cautionaris as gif the samyn acquittance wer maid, gevin, and deliverit be the said James Conradt, awnar of the saidis gudis himself, and that thai still retene and keip the remanent gudis abonewrittin, viz.:—The remanent clayth, xii mailye coittis, xi lesert skynnis, twa faddome of unblechit Holand clayth, ane culvering, ane reid coit, lxxxxvi stringis to hattis, thre stekis of camerage, ane pece of blak dinnostage, four rollis of Holand clayth, twa litill polkis of ginger, ane lytill polk of peppir,—ay and quhill the said Barnard, or utheris, have maid report and bring sufficient testimoniall, berand the gudis abonewrittin to be the propir gudis and marchandice, with power to ressave the samyn, gif acquitance thairof, and to warrand and keip the Quenis Majestie, hir realme and liegis, of the samyn at all handis, as efferis; and that the saidis cautionaris haif hir Hienes and hir Counsallis commandment to deliver, and that lettres be direct in propir forme, gif neid be, as efferis.

Apud Edinburgh, decimo tertio die mensis Augusti, anno Domini millesimo quingentesimo sexagesimo quinto.

Charge on Mr. Nichol Elphinston.

The King and Quenis Majesteis, upoun certane considerationis moving thame, ordanis lettres to be direct to officiaris of armes, Shereffis in that part, chargeing thame to pas, and in thair Majesteis name and autoritie command and charge Maister Nichol Elphingstoun in maner following. That is to say, to serche and seik him in all places neidfull, and gif he can nocht be personalie present, to charge him be oppin proclamatioun at the marcat croces of Edinburgh, Cowpar, Perth, and all utheris neidfull, to present himself befoir the King and Quenis Majesteis upoun the sext day nixt eftir he be chargeit thairto, to answer to sic thingis as salbe laid to his charge, undir the pane of rebellioun and putting of him to the horne gif he failyeis thairin; the said day being bipast, to put him to the horne and to escheit.

Charge on Ramorny and utheris.

The King and Quenis Majesteis, upoun certane ressonabill considerationis moving thair Hienessis, ordanis lettres to be direct to ane herauld, maser, or uther officiar of armes to pas, and in thair Majesteis name and autoritie command and charge Waltir Heriot of Ramorny, George Lermonth of Balcomy, David Monypenny youngar of Petmillie, Maistir Johnne Wod, Seytoun of Perbroth, personalie or at thair dwelling places, to pas and entir thair personis in ward, in the Castell of Dunbartane, thair to remane upoun thair awin expenssis, ay and quhill thai be fred be thair Majesteis within sex dayis nixt eftir thai be chargeit thairto, undir the pane of rebellioun and putting of thame to the horne, and that thai cum to the Secretar or his deputtis, keparis of the signet, and ressave utheris lettres for thair ressait in ward within the said castell. The

quhilk sex dayis being bipast, and thai dissobeyand and nocht fulfilland the command of the saidis lettres, to denunce thame rebellis, and put thame to the horne, and to escheit, etc.

Apud Edinburgh, decimo quarto die mensis Augusti, anno, etc. lxv.

Jacobus Comes de Mortoun, Cancellarius. Joannes Comes de Athole. Joannes Comes de Mar. Patricius Dominus de Ruthven. Secretarius. Thesaurarius. Computorum Rotulator. Clericus Registri. Clericus Justiciarie. Advocatus.

Charge on the Erl of Murrayis houssis.

The quhilk day, forsamekill as James Erle of Murray, being chargeit to haif presentit himself befoir the King and Quenis Majesteis at ane certane day bigane to haif answerit to sic thingis as sould be laid to his charge; and siclike Andro Erle of Rothes, Williame Kirkcaldy of Grange, and Maistir James Halieburtoun Provest of Dunde, being chargeit to haif enterit thair personis in ward—the said Erle of Rothes and Williame Kirkcaldy, within the Castell of Dunbartane, and the said Maistir James within the Castell of Dunbar, within certane space lykewyise—hes all contempnandlie dissobeyit, and thairthrow ar ordourlie denuncit thair Hienessis rebellis and put to the horne. And to the effect that the saidis personis, rebellis, be nocht throw ourluking and oursycht nurissit in thair rebellioun, and to the effect that the commoditie of thair houssis and resset thairin may be takin away, ordanis lettres to be direct to officiaris of the Quenis, shereffis in that part, chargeing thame to pas, and in thair Majesteis name and autoritie command and charge the saidis James Erle of Murray, Andro Erle of Rothes, Williame Kirkcaldy of Grange, Maister James Halieburtoun Provest of Dunde, and all utheris, keparis and withhaldaris of the houssis and place of the Abbay of Sanctandrois, castell, tour and fortalice of Bambrich, the place and fortalice of Halyairdis, and all utheris places and castellis pertening to the saidis personis and being in thair possessioun in ony wayis, to deliver the samyn houssis, places, and fortresses to quhome thair Majesteis hes specialie direct, and be the tennour heirof directis for ressait thairof, and to that heirby gevis him sufficient commissioun. And to remove, devoid, and red the saidis personis, thair servandis and gudis, furth of the samyn, within houris nixt eftir thai be chargeit, undir the pane of tressoun; certifeing thame and thai failye, that thai sall incur the said pane of tressoun, and proces of forfaltour salbe led aganis thame, according to the tennour of the Actis of Parliament, lawis, and practik of this realme.

Charge that nane furniss the Rebellis.

The King and Quenis Majesteis, undirstanding that James Erle of Murray, thair Hienessis rebell, accumpaneit with diverse utheris thair rebellis, hes withdrawin thame selffis in the partis and cuntreis of Ergyle and Hielandis adjacent thairto, intending thair to mak thair resort and residence, and to

haf sic confort, resset, and refuge that thair rebellioun suddenlie salbe unable to be repressit. And thair Majesteis thinkand it convienient to cut of fra thame all commoditeis and furnissing be the quhilk thai may be interteneit, ordanis lettres to be direct to officiar of armes, shereffis in that part, chargeing thame to pas, command and charge the capitane, constabill, and keparis of the Castell of Dunbartane, the Provest and Baillies of Glasgow, Dunbartane and Irwin, and utheris places neidfull, and all utheris our Soveranis liegis, be oppin proclamatioun at the marcat croces of the saidis burrowis, that nane of thame tak upoun hand to furniss or supple the saidis rebellis, or cuntreis quhairin thai resort, with ony kind of victualis, nor yit suffir ony kind of victualis or armour to be had and careit towart the same, undir the pane to be reput and haldin partakaris with the saidis rebellis in thair rebellioun; with certificatioun to thame and thai failye, thai sal be reput and haldin as rebellis, and puneist for the same with all extremitie, in exempill of utheris.

Apud Edinburgh, decimo quinto die mensis Augusti, anno Domini millesimo quingentesimo sexagesimo quinto.

Ane uther charge nocht to resset the Rebellis.

Forsamekill as James Erle of Murray, being chargit to haif comperit befoir the King and Quenis Majesteis at ane certane day bigane, to haif answerit to sic thingis as sould be laid to his charge for his dissobedience, is contempnandlie past to the horne; and siclike, Andro Erle of Rothes, Williame Kirkcaldy of Grange, and Maistir James Halieburtoun Provest of Dunde, being chargeit, be vertew of thair Hienessis utheris lettres, to haif enterit thair personis in certane wardis specialie appontit to thame, within certane space bigane, for dissobedience, ar likewyise denuncit thair rebellis and put to the horne; and nochtwithstanding, rydis and gangis in the realme, quhair thai pleis, resset suppleit and interteneit as gif thai wer thair Majesteis guid and trew subjectis. Be the quhilk thai ar strenthynnit in thair rebellioun, to the greit hurt of the commoun weill, gif tymeous remeid be nocht provydit thairfoir. The King and Quenis Majesties ordanis lettres to be direct to officiaris of armes, chargeing thame to pas, and in thair Hienessis names and autoritie command and charge all and sindry thair liegis and subdittis, be oppin proclamatioun, at the marcat croces of the heid burrowis of this realme, and all utheris places neidfull, that nane of thame tak upoun hand to resset, supple, or intercommoun with the saidis rebellis, thair favouraris, and assistaris, nor gif or send to thame, or suffer to be gevin and sent to thame meit, drink, monition or armour in ony wayis, undir the pane to be repute and haldin as plane partakaris with thame in thair rebellioun, and to be callit and persewit thairfoir at particular dyettis, with all rigour, in exempill of utheris.

Apud Edinburgh, xxii die mensis Augusti, anno Domini millesimo quingentesimo sexagesimo quinto.

Sederunt. Jacobus Comes de Mortoun, Cancellarius. Joannes Comes de Atholl. Joannes Comes de Mar. Patricius Dominus Ruthven. Secretarius. Thesaurarius. Clericus Registri. Clericus Justiciarie. Advocatus.

Proclamation to pas towart Glasgow.

The King and Quenis Majesteis, undirstanding how thair rebellis ar planelie conspyrit togidder, takin on armes, mynding nocht onelie to rebell thame selffis bot to perswaid and alluir thame all sic trew and obedient subjectis as thai ar abill to entise, of purpois opinlie to resist thair Majesteis autoritie, and to invaid and molest thair peciabill and guid subjectis. For stancheing of quhais temerarius attemptatis, and reducing of thame to thair dewitie, thair Hienessis intendis, God willing, in propir personis to pas, serche, and seik the saidis rebellis, and to bring thame to obedience, or utherwyise to persew thame with fyre and swerd as rebellis and traitouris; for the quhilk purpois it is neidfull and convenient that thair Majesteis be weill and substantiouslie accumpanyit. And thairfoir ordanis lettres to be direct to officiaris of armes, chargeing thame to pas to the marcat croces of the heid burrowis of the sherefdomes of Edinburgh principall, and within the constabularie of Hadingtoun, Linlithquow, Striviling, Cowpar, Kinross, Clakmannan, Lanerk, Renfrew, Dunbartane, Air, Wigtoun, Drumfreis, Stewartry of Kirkcudbricht, and baillieris of Kyle, Carrik, and Cunynghame, and thair, be oppin proclamatioun, to command and charge all and sindry Erlis, Lordis, Baronis, frehaldaris, landit men, gentilmen, and inhabitantis of burrowis within the saidis boundis, alsweill within regalitie as rialte, that thai, substantiouslie accumpaneit with thair houshaldis, kin and freindis, weill bodin in feir of weir, and providit for xv dayis eftir thair cuming, addres thame selffis to convene and meit the King and Quenis Majesteis at the tymes and places respective undirwrittin. That is to say, the inhabitantis of the sherefdomes of Edinburgh principall, and constabularie of Hadingtoun, in Edinburgh, upoun Settirday, at evin, the xxvi day of August instant; the inhabitantis of Linlythquow, at Awmond Wattir, on Sonday, the xxvii day of the said moneth, be xii houris; the inhabitantis of Strivilingschyre, at Falkirk, upoun Mononday, the xxviii day of the said moneth, be sex houris in the morning; the inhabitantis of the sherefdomes of Fyff, Kinross, and Clakmannan, in Striviling, the said Mononday, at evin; the inhabitantis of the sherefdome of Lanerk, at Kirkintulloch, upoun Twysday, the xxix of the said moneth, be ix houris in the morning; the inhabitantis of the sherefdome of Dunbartane and Renfrew, in Glasgow, upoun the said Twysday, at evin; and the inhabitantis of the sherefdomes of Air, Wigtoun, and Dumfreis, the stewartrie of Kirkcudbricht, and baillieris of Kyle, Carrik, and Cunynghame, at Irrwin, upoun Weddnusday, the penult day of this instant moneth,—all men to pas furthwart and depend upoun thair Majesteis, as thai salbe commandit, for the space of xv dayis eftir thair cuming, undir the pane of tinsall of lyf, landis, and gudis.

Proclamation anent the estait of religion renewit.

Forsamekill as the King and Quenis Majesteis, remembering that, sone eftir hir Majesteis first arryvall and hame cuming in this realme, the greit inconvenientis being persavit quhilkis mycht follow of the divisioun standing in the samyn, be difference in materis of religioun, and being desyrous to se the samyn pacifiit be ane gud ordour, to the honour of God and tranquillitie of the realme, mynding to tak the samyn be the avyise of the estaittis sa sone as convenientlie thai mycht be assemblit,—directit lettres, proclamationis, and chargeis throwchout hir haill realme, straitlie commanding all hir liegis that thai, and every ane of thame, sould contene thameselffis in guid quietnes, and keip peax and civile societie amangis thameselffis; and in the menetyme quhill the estaittis of the realme mycht be assemblit, and that ane finall ordour, be thair avyise and publict consent, mycht be takin in the saidis materis, that nane of the saidis liegis sould tak upoun hand, privatlie or oppinlie, to mak ony alteratioun or innovatioun of the estait of religioun, or attempt ony thing aganis the forme quhilk hir Majestie fand publictlie and universalie standing at hir first arryvall within this realme, undir the pane of deid; with certificatioun that gif ony sould cum in the contrair thairof, he sould be usit as ane seditious persoun and rasar of tumult. And albeit the samyn has bene diverse tymes dewlie proclamit, swa that nane can pretend ignorance thairof, nocht the les sum forgettand thair dewitie it is murmurit that thai haif contravenit and purposlie intendis to contravene the samyn be innovating of the religioun and ministratioun of the Sacramentis utherwyise than be publict forme, quhilk wer fund at hir Hienes arryvall, as said is; utheris personis, having alreddie dissobeyit diverse thair Majesteis chargeis and commandmentis, and swa worthelie denuncit rebellis and put to the horne, to covir thair rebellioun dois quhat in thame lyis to perswade and mak all the guid subjectis to beleve that thair Majesteis, in the condigne prosequutioun of the saidis rebellis, resistaris of thair autorite, preissis to nocht ellis bot to the plane subversioun of the estait of religioun fund be thame at hir arryvall publictlie standing as said is; and be sic untrew reportis to alienate the hartis of the guid subjectis fra the obedience of thair Hienessis, thair naturall and richttuous Princes and Soveranis, under God, albeit thair bigane procedingis and present clemencie makis a plane declaratioun of the contrarie. For eschewing of the quhilk untrew brute and fals rumour, thair Majesteis ordanis lettres to be direct to officiaris of the King and Quenis Majesteis, shereffis in that part, chargeing thame to pas, and in thair Majesteis name and autorite command and charge all and sindry thair liegis of quhat estait, qualitie, or condicioun that evir thai be of, that thai, and every ane of thame, sa far as in thame lyis, endevour thame selffis to reserve and keip the said formar proclamatioun in every point and conditioun; and that nane of thame presume to attempt to do ony thing that may tend to the violatioun and breking thairof be the meanis foirsaidis, or utheris privalie or oppinlie, under the panis contenit in the samyn.

Proclamation that all men leif thair armour.

The King and Quenis Majesteis, undirstanding how thair rebellis ar planelie conspyrit togidder, takin on armes, mynding nocht onelie to rebell thameselffis, bot to alluir and perswaid to thame and thair factioun all sic trew and obedient subjectis as thai ar abill to entyse; and to the effect that nane pretend ignorance, thair Majesteis ordanis lettres to be direct to officiaris of armes, chargeing thame to pas to the marcat croces of the heid burrowis of the sherefdomes of this realme, and utheris places neidfull, and thair, be oppin proclamatioun, in thair Hienessis name and autorite, command and charge all and sindry thair liegis and subjectis quhatsumevir, that thai on na wayis ryis, concur, nor assist with the saidis rebellis; and gif ony of thame hiddertillis hes riddin or bene in thair cumpany, or presentlie ar with thame, that thai leif thair armour, pas hame to thair dwelling houssis, and allutirlie leif the saidis rebellis, undir the pane of tinsall of lyiff, landis, and gudis.

Apud Edinburgh, xxiii die mensis Augusti, anno, etc. lxv.

Sederunt. Domini ut in die predicto.

Provision for the aris of thame that salbe slane.

The King and Quenis Majesteis, undirstanding that James Erle of Murray, Andro Erle of Rothes, Williame Kirkcaldy of Grange, Maistir James Halieburtoun Provest of Dunde, and utheris, ar ordourlie denuncit thair Hienessis rebellis, and put to the horne; quhairof nocht onelie is intimatioun maid to Archibald Erle of Ergyle, bot alswa inhibitioun maid to him and all utheris not to resset, supple, or intercommoun with the saidis rebellis, undir the pane to be reput and haldin as art and part with thame in thair rebellioun and offenssis. And nochtwithstanding the foirsaid intimatioun and inhibitioun, the said Erle of Ergile and utheris his freindis, servandis and tennentis—inhabitantis of the boundis of Braidalbane, Lorne, Ergile, and utheris—ceissis nocht manifestlie, maliciouslie, and wilfullie to resset, supple, and intercommoun with the saidis rebellis to ryde and gang with thame, and utherwyise to assist and tak plane part with thame in thair rebellioun, in manifest contempt of our Soveranis autorite; and thairfoir be the lawis and custum of this realme thai aucht to be demanit as manifest rebellis and tratouris; and thair Majesteis hes maid, and constitutis thair traist cousing and counsalour John Erle of Atholl, Lord of Balvany, etc., thair lieutennent in the north partis of this realme, with power to serche and seik the saidis rebellis, thair assistaris and partakaris, to assege thair houssis and strenthis, and to persew thame with fyre and swerd, quhill thai be repreffit or brocht to obedience, as at mair lenth is contenit in the commissioun past thairupoun, and swa mon be accumpaneit with thair faythfull and trew subjectis within the boundis of the said commissioun. It is thairfoir statute and ordanit be the King and Quenis Majesteis that quhatsumevir persoun or personis that happynnis to be slane, hurt, or deid, or takis seiknes in thair Hienessis army, ordanit

to pas furthwart undir the charge of the said lieutennent to the effect abonewrittin, gangand, remanand, or cumand thairfra, gif he be Erle, Lord, Barroun, frehaldar, wassale, subwassall, fewar, or heritour quhatsumevir, hir air or airis sal haif thair awin ward, mariage, releif, and nonentreis of thair Majesteis fre, dispensand with thair minoritie—quhat eild that evir thai be of—without payment of ony teind penny; and siclike, of all utheris oure Lordis sprituall and temporall, bayth wassellis and subwassellis; provyding that the airis foirsaidis persew and obtene entres within thre termis eftir the deceise of thair faderis or utheris quhometo that thai may succeid; and gif the airis beis of les aige, within tutorie, and beis nocht enterit to thair landis and heretage befoir thair aige of xiiii yeris, quhilk may be throw negligence of thair tutoris and utheris thair freindis, the King and Quenis Majesteis privelegis and grantis to thame that thai may entir within thre termis nixt eftir thair perfyte age of xiiij yeris as said is; and this to be extendit to the immediat air that is to succeid to the personis that happynnis to deceis in the said army may haif lauchfull barnis of his body by his air. Thairfoir ordanis that the proffeit of his ward landis be tane up be the moderis gif thair be na tutouris testamentaris als lang as schö remanis wedo; and failyeing thairof, the neirest lauchfull tutouris of the saidis barnis, to be distribûte to the sustentatioun of the said air, and to the utilitie and proffeit of the rest of his brethir and sisteris to the perfyte aige of the said air or airis; that is to say, gif thai be maill, of xxi yeris, and gif thai be femall, of xiiij yeris, the proffeit of the saidis airis mariage being ay fre to him self, his modir, tutour, and governour alwayis findand sufficient cautioun befoir the Lordis of Sessioun that thai sall mak compt and rekning of thair intromissioun befoir the saidis Lordis in the Chekker yeirlie. And gif the airis of the personis that happynnis to deceis as said is haif ony fews, that thai entir siclike to thair faderis few landis haldin of quhatsumevir persoun or personis, spirituall or temporall, within the termis foirsaid, without payment of the dowbilling of the few. And gif ony malaris, takkismen, rentalaris, or commonis sal happin to be slane or to tak seiknes quhairof thai happin to deceis at this present army, that thair wyffis, barnis, executouris, or assignais sall brouke and joise thair takkis, stedingis, rowmes, and possessionis, alsweill of kirklandis as temporall landis, and entir thairto and remane frelie thairwith for the space of fyve yeris, without ony grassum or interes silver, payand yeirlie males and dewiteis usit and wount allanerlie. And gif ony beneficit man sal happin to be slane, hurt, or tak seiknes in this present army, quhairof thai happin to deceis, the nerrist qualifiit persoun of his kin sal haif the presentatioun and provisioun of his benefice for that tyme allanerlie, and the frutis on the ground and annet to pertene to the executouris of the personis swa decessand.

Apud Edinburgh, xxiiii die mensis Augusti, anno Domini millesimo quingentesimo sexagesimo quinto.

Sederunt. Jacobus Comes de Mortoun, Cancellarius. Joannes Comes de Atholl. Joannes Comes de Mar. Patricius Dominus Ruthven. Secretarius. Thesaurarius. Clericus Registri. Clericus Justiciarie. Advocatus.

Commission of Lieutenendry to the Erl of Atholl

The King and Quenis Majesteis, undirstanding that James Erle of Murray, Andro Erle of Rothes, Williame Kirkcaldy of Grange, and Maistir James Halieburtoun Provest of Dunde, and utheris, ar lauchfullie denuncit oure Soveranis rebellis and put to the horne, quhairof nocht onelie is intimatioun maid to Archibald Erle of Ergyle, bot alswa inhibitioun maid to him and all utheris nocht to resset, supple, or intercommoun with the saidis rebellis, undir the pane to be persewit as art and part with thame in thair rebellioun and offenssis; and nochtwithstanding the said intimatioun and inhibitioun, the said Erle of Ergyle and utheris his freindis, servandis, and tennentis, inhabitantis of the landis of Braidalbane, Lorne, Ergyle, and utheris, ceissis nocht manifestlie, maliciouslie, and wilfullie to resset, supple, and intercommoun with the saidis rebellis to ryde and gang with thame, and utherwyise to assist and tak plane part with thame in thair rebellioun and manifest contempt of thair Majesteis and thair autorite; and thairfoir, be the lawis and custum of this realme, thai aucht to be demanit as manifest tratouris and rebellis. And thairfoir thair Majesteis hes maid and constitute thair traist cousing and counsalour, Johnne Erle of Atholl, Lord of Balveny, thair lieutennent in the north partis of thair realme, with power to pas, serche, and seik the saidis rebellis, thair assistaris and partakaris, to assege thair houssis and strenthis, and to persew thame with fyre and swerd quhill thai be opprest or brocht to obedience, as at mair lenth is contenit in the commissioun past thairupoun; to the quhilk it is neidfull that thair saidis lieutennent be substantiouslie accumpaneit with the faythfull and trew subjectis. Thairfoir the King and Quenis Majesteis ordanis lettres to be direct to officiaris of armes, shereffis in that part, chargeing thame to pas, command, and charge all and sindry thair liegis dwelland within the boundis of the sherefdomes undirwrittin; that is to say, the sherefdome of Invernes (Caithnes, Sutherland, and Strathnaver exceptit); the sherefdomes of Narne, Elgin, Fores, Banff, Abirdene, Kincardin; the sherefdome of Forfar be west and abone Glammis; the haill sherefdome of Perth and stewartrie of Stratherne (the stewartrie and cuntre of Menteith exceptit); betuix sextie and sextene yeris, and utheris personis fensabill, alsweill dwelland to burgh as to land, within regalitie as rialte, that thai, and ilk ane of thame, weill bodin in feir of weir, and providit to remane for xx dayis eftir thair cuming to Lorne, addres thame to meit the King and Quenis Majesteis, or thair said lieutenent, at in Lorne, upoun the xx day of September nixt to cum, and fra thynefurth to pas furthwart with him as thai salbe commandit, for

persute of the saidis rebellis and defence of the trew subjectis fra thair invasioun, undir the pane of tinsall of lyff, landis, and gudis.

Thingis necessar for Dunbar Castell.

The quhilk day, in presens of the King and Quenis Majesteis and Lordis of thair Secreit Counsall, comperit Simon Prestoun of that Ilk, capitane of the Castell of Dunbar, and gaif in the writting eftir following, takand attestatioun that in caise of defalt of the monitionis following, ony skayth or dampnage sould happin to the said castell, the wyte and occasioun of the samyn sould nocht be imput to him, of the quhilk writting this is the forme and tennour :—

This is the monitionis that is necessar for this present to the Castell of Dunbar.

Item, in the first twa hundrith daillis.

Item, ane hundrith geistis to mak plat formes, pawesis, and utheris thingis necessar for defence of the hous.

Item, ane hundrith stane of irne to mak all werk necessar for the samyn.

Item, ane hundrith schulis, xl pickis and mattokis, with twa gavillokis to wirk and repair the rowme of quhatsumevir sal happin to fall be battrie or neid to campeir.

Item, ane hundrith faddome of greit towis, with twa barrell cordis, to lift and mont to carie, and to woup brokin stokis and quheillis in tyme of necessitie.

Ane barrell of brintstone.

Ane barrell of saltpetir, with fourty stane of hardis.

Ane last of pik and tar to mak fyre werk and uther necessar for ane hous of defence.

Fourty stane of leid to mak bullettis for small pecis.

Twa barrell of fische huill.

Twa barrell of talloun for grathing of the monitioun.

Item, twa barrell of candill to serve in tyme of neid, with twa dosane of bowettis.

Thir ar the viveris for the foirsaid place :—

Item, in the first, quheit and flour, ait meill, malt, wyne, vennagir, plumdamas, buttir, cheise, salt salmond, salt beif, dry killing ling and skait, coillis and tymmer for fyre ; of thir in quantitie, according to the gritnes of the hous and necessitie of tyme.

And this I thocht to be my dewitie and to schaw the cuir I haif of that hous, quhilk the King and Quenis Majesteis hes credeit in my handis.

Alswa it wer necessar that the King and Quenis Majesteis directit preceptis to all gentilmen quha hes wod or yairdis that thair Majesteis mycht haif sum of thair tymmer to be stokkis quhelis and small wod to be gaveons.

Apud Edinburgh, xxvi Augusti, anno, etc. lx quinto.

Discharge of Glenurquhyis Commission.

The King and Quenis Majesteis, undirstanding that thair wes ane commissioun gevin be hir Hienes of befoir to Colene Campbell of Glenurquhy, gevand and committand to him full power to pas, serche, and seik all maner of personis, dwelland in quhatsumevir partis or places of this realme, quhilkis in ony tyme sould happin to resset ony rebellis and surname of Clangregour, or thair complices, or to furneis thame—oppinlie, quietlie, or be quhatsumevir uther cullour—meit, drink, claythis, armour, or utheris necessaris; and to apprehend and tak thame and send thame to the Justice or his Deputtis to undirly the law thairfoir, as the said commissioun, of the dait at Edinburgh, the vii day of Januare, the yeir of God j^{m}v^{c}lxiii yeris mair fullelie proportis. Quhilk commissioun the said Colene hes nocht onlie allutirlie abusit, bot als under cullour thairof hes, be himself and utheris wickit personis his complices in his name, of his causing, command, assistance and ratihabitioun committit sensyne diverse and sindry sorningis, oppressionis, herschippis, spulyeis, yea and crewell slauchteris, upoun diverse our saidis Soveranis liegis, nocht being rebellis; and thairthrow the said commissioun is worthie to be dischargeit and annullit. Quhairfoir, oure saidis Soveranis, be thir presentis, cassis annullis and dischargeis the said commissioun and all pointis thairof, and decernis the samyn to expyre and haif na forder strenth in tymes cuming for the caussis foirsaidis; and ordanis lettres to be direct heirupoun to mak publicatioun heirof in forme as efferis, swa that nane of thair Graces liegis pretend ignorance heirof.

Apud Callendar, secundo die mensis Septembris, anno Domini millesimo quingentesimo sexagesimo quinto.

The army callit bak.

Forsamekill as the King and Quenis Majesteis departis this nycht towart Striviling for reposing of thair Hienessis, thairfoir ordanis ane herauld or uther officiar of armes to pas to the marcat croces of Falkirk, Linlythquow, Edinburgh, and all utheris places neidfull, and thair, be oppin proclamatioun in thair Majesteis name and autoritie, command and charge all and sindry thair liegis and subdittis presentlie convenit with thair Hienessis at this present raid, that thai, and ilk ane of thame, meit thair Majesteis to morne, the thrid day of September, at Kilsyth, be sone rysing, and on na wayis depart during the tyme prescrivit in the formar proclamatioun maid to that effect, undir the pane of tinsall of lyff, landis, and gudis.

Apud Glasgow, quinto die mensis Septembris, anno Domini millesimo quingentesimo sexagesimo quinto.

Sederunt. Matheus Comes de Lennox. Jacobus Comes de Mortoun. Joannes Comes de Atholl. Joannes Comes de Mar. Patricius Dominus Ruthven.

EXTRAORDINARII.

Gilbertus Comes de Cassillis. Hugo Comes de Eglintoun. Robertus Dominus Sempill. Jacobus Dominus Ross. Jacobus Dominus Somervell. Allanus Dominus Cathcart.

Charge on the liegis to put thame selffis in reddines.

Forsamekill as the King and Quenis Majesteis hes now perfyte knawlege of the manifest defectioun and rebellioun of diverse thair subjectis,—quhilkis hes nocht onelie armit thamselffis and, with greit convocatioun, riddin and past to and fra in the realme, doand that in thame lyis to subject the haill stait of the commoun weill,—bot als hes fortifiit and withhaldis diverse houssis, castellis, and forteressis aganis thair Majesteis and thair autoritie, mynding, as may weill appeir be thair procedingis to abstract all debtfull obedience, and to draw in strangearis and utheris to participat with thame in thair attemptattis. And thairfoir it is neidfull and convenient that all thair Majesteis guid, faythfull and trew subjectis be in reddines to cum to thair Hienessis, upoun advertisement, owther for persute of the saidis rebellis or resistance of Ingland in cais it sal happin to invaid; ordanis lettres to be direct to officiaris of armes, shereffis in that part, chargeing thame to pas to the marcat croces of all the heid burrowis of this realme, and thair, be oppin proclamatioun in hir Hienes name and autoritie, command and charge all and sindry thair liegis betuix lx and xvi yeris, and utheris fensabill personis alsweill dwelland to burgh as to land, within regalitie as rialte, that thai, and ilk ane of thame, prepair thame selffis and put thame in reddines, with xx dayis provisioun, as thai salbe commandit upoun thre dayis warneing to cum to thair Majesteis, to the effect abonewrittin, to sic part and place as thair Hienessis sal happin to appoint, undir the pane of tinsall of lyff, landis, and guidis.

Proclamation before the army quhilk past to Dumfreis.

Forsamekill as the King and Quenis Majesteis hes now perfyte knawlege of the manifest defectioun and rebellioun of diverse thair subjectis,—quhilkis hes nocht onelie armit thame selffis, and, with greit convocationis, riddin and past to and fra in the realme, doand that in thame lyis to subject the haill stait of the commoun weill,—bot als hes fortifiit and withhaldis diverse houssis and castellis, aganis thair Majesteis and thair autoritie; for repressing of quhais temerarious attemptattis and reduceing of thame to obedience or expelling thame furth of the realme, thair Majesteis intendis, God willing, to leif nathing undone that to thair honour appertenis. And to the effect that thai may be weill and substantiouslie accumpaneit, ordanis lettres to be direct to officiaris of armes, chargeing thame to pas to the marcat croces of the burrowis of Perth, Forfar, Kincardin, Abirdene, Banff, Elgin, Fores, and Narne, and thair be oppin proclamatioun command and charge all and sindry thair Majesteis liegis, betuix lx and xvi yeris, and utheris fensabill personis, alsweill dwelland to burgh as to land, within regalitie as rialte, dwelland within the boundis of the sherefdomes of Perth, Forfar, Kincardin, Abirdene, Banff, Elgin, Fores, and Narne, and stewartrie of Strathern, that thai, and ilk ane of thame, weill bodin in feir

of weir, with palyeonis and uther neidfull provisioun to ly on the feildis, propair and addres thame to meit thair Majesteis at Striviling the last day of September instant, and providit to remane for xx dayis eftir thair cuming thairto, pas furthwart and attend upoun thair Hienessis as thai salbe commandit, undir the pane of tinsall of lyff, landis, and gudis; and that nochtwithstanding the formar proclamatioun commanding the inhabitantis of the saidis boundis to haif convenit with Johnne Erle of Atholl, lieutennent of the North partis of this realme, in Lorne, upoun the xxviii day of the said moneth of September, quhilk vyage for the abone nemmit respectis thair Majesteis hes delayit and presentlie omittit.

Caution for the Lard of Prestoun.

The quhilk day, Sir James Hamiltoun of Craufurd Johnne, and Johnne Dunbar of Blantyre, ar becum actit and obleist, conjunctlie and severalie, to entir David Hamiltoun of Singaltoun Knycht, befoir the King and Quenis Majesteis quhen evir thai sal be requirit, upoun viii dayis warning, undir the pane of ane thowsand pundis; and the said David is obleist to releif the saidis Sir James and Johnne of this present act, and all danger that thai may incur thairthrow. Sic subscribitur, James Hammiltoun of Craufurd Johnne, Johnne Dunbar of Blantyre.

Band of the Lordis and Baronis of the West cuntre.

We, the Erlis, Lordis, and Baronis undirsubscrivand, bindis and obleissis us, and upoun oure honouris faythfullie promittis, that we and everie ane of us sall trewlie and faythfullie serve the King and Quenis Majesteis, and the rycht nobill and mychty Lord Mathow Erle of Lennox, Lord Dernle, etc., thair Hienessis lieutennent, in and quhatsumevir thing he sall command, tending to the furthsetting of thair Majesteis autoritie, and resisting of thair Hienessis rebellis,—in caise thai sal happin to invaid, or in persute of thame and thair assistaris,—as we sal be adverteist and commandit be the said lieutennent, or everie ane of us to concur, and assist with utheris, in our defence, during the tyme that the said leutennentis commissioun sall induir, as we answer to God, and upoun our allegeance to thair Hienessis. In takin quhairof, we haif maid oure bodelie aithis to fulfill and observe thir premissis, and hes subscrivit thir presentis in presens of thair Majesteis, at Glasgow, the fyft day of September, the yeir of God $j^{m}v^{c}$ thre scoir fyve yeris. And attour, we sall lay all querrellis, grudgeis, and deidlie fedis standing amangis ony of us apart during the tyme of this thair Majesteis service. Sic subscribitur. Cassillis. Eglintoun. Robert Lord Sempill. James Lord Ross. James Lord Somervell. Allane Lord Cathcart. Edward Lord Sanchair. Mathow Campbell of Lowdoun. Thomas Kennedie of Bargany. Johnne Wallace of Cragy. Williame Hammiltoun of Sanchair Knycht. Sir James Hammiltoun of Craufurd Johnne Knycht. Williame Cunynghame of Caprintoun. Johnne Cunynghame of Glengarnok. Johnne Mure of Rowallane. Johnne Dunbar of Blantyre. Williame Cunynghame of Cunynghameheid, youngar. Johnne Boswell of Auchinlek. Williame Baillie of Lamyngtoun. Robert Dalzell of that Ilk. Williame Cunynghame of Craganis.

Apud Glasgow, sexto die mensis Septembris, anno, etc. lxv.

Sederunt. Domini ut in die predicto.

Provision for thame that sal be slane in persute of the rebellis.

The King and Quenis Majesteis, undirstanding that James Erle of Murray, Andro Erle of Rothes, William Kircaldy of Grange, Maistir James Haliburtoun Provest of Dunde, and utheris, ar ordourlie denuncit thair Hienessis rebellis and put to the horne, quhairof nocht onelie is intimatioun maid to Archibald Erle of Ergyle, and James Duke of Chestellarault, bot alswa inhibitioun maid to thame and all utheris nocht to resset, supple, or intercommoun with the saidis rebellis, undir the pane to be repute and haldein as art and part with thame in thair rebellioun and offensis; and nochtwithstanding the foirsaidis intimatioun and inhibitioun, the saidis Duke and Erle, and utheris Erlis, Lordis, Baronis, inhabitantis of the Sherefdomes of Lanerk, Renfrew, Dunbartane, Tarbert, the baillieris of Kyle, Carrik, and Cunynghame, and utheris, ceisse nocht manifestlie, maliciouslie, and wilfullie to resset, supple, and intercommoun with the saidis rebellis, to ryde and gang with thame and utherwyise to assist and tak plane part with thame in thair rebellioun; and being chargit to randir and deliver thair houssis and strenthis, hes contempnandlie dissobeyit and resistit thair Majesteis autoritie in that behalf; and thair Majesties hes maid and constitute thair derrest fadir and rycht traist counsalour, Mathow Erle of Lennox, Lord Dernlie, thair lieutenent in the west partis of this realme, with power to serche and seik the saidis rebellis, thair assistaris and partakaris, to assege thair houssis and strenthis, and to persew thame with fyre and swerd quhill thai be repressit or brocht to obedience, as at mair lenth is contenit in the commissioun past thairupoun; and swa mon he be accumpaneit with thair faythfull and trew subjectis within the boundis of the said commissioun. It is thairfoir statute and ordanit be the King and Quenis Majesteis that quhatsumevir persoun or personis that happynnis to be slane, hurt, or deid, or takis seiknes in thair Hienessis service, undir the charge of the said lieutennent, gangand, remanand, or cumand, gif he be Erle, Lord, Baroun, frehaldar, vassall, subvassall, fewar, or heritour quhatsumevir, his air or airis, sall haif thair awin ward, mariage, releif, and nonentres, of thair Majesteis, fre, dispensand with thair minoritie, quhat eild that evir thai be of, without payment of ony teind penny; and siclike of all utheris Lordis, spirituall and temporall, bayth vassellis and subvassellis, providing that the airis foirsaidis persew and obtene entres within thre termis eftir the deceise of thair faderis, or utheris quhometo thai may succeid; and gif the airis beis of les aige within tutorie, and beis nocht enterit to thair landis and heretage befoir thair aige of xiiij yeris, quhilk may be throw negligence of thair tutoris and utheris thair freindis, the King and Quenis Majesteis privilegis and grantis to thame that thai may entir within thre termes nixteftir thair perfyte aige of xiiij yeris as said is, and this to be extendit to the immediat air that is to succeid to the personis that happynnis to deceis in the said service in maner foirsaid. And becaus it may happin to the persoun that happynnis

to deceise in the said service may haif lauchfull barnis of his body, by his air; thairfoir ordanis that the proffeit of his ward landis be tane up be the moderis, gif thair be na tutor testamentaris, als lang as schō remane wedo; and failyeing thairof, the nerrest lauchfull tutouris of the saidis barnis to be distribute to the sustentatioun of the said air, to the utilitie and proffeit of the rest of his brethir and sisteris, to the perfect aige of the said air or airis; that is to say, gif thai be male, of xxi yeris, and gif thai be famell, of xiiij yeris, the proffeit of the said airis mariage being ay fre to him self; his modir, tutour, and governour, alwayis findand sufficient cautioun befoir the Lordis of Sessioun, that thai sall mak compt and rekning of thair intromissioun befoir the saidis Lordis in the chekker yeirlie. And gif the airis of the personis that happynnis to deceis, as said is, haif ony fewis, that thai entir siclike to thair faderis fewlandis, haldin of quhatsumevir persoun or personis, sprituall or temporall, within the termis foirsaidis, on payment of the dowbilling of the few. And gif ony malaris, takkismen, intromitteris, or commonis sal happin to be slane or tak seiknes quhairof thai happin to deceise in the said service, that thair wyffis, barnis, executouris, or assignayis sall brouke and joise thair stedingis, rowmes, and possessionis alsweill of kirklandis as temporall landis and entir thairto, and remane frelie thairwith for the space of fyve yeris, without ony gerssum or entre silver, payand yeirlie males and dewiteis usit and wount allanerlie. And gif ony beneficit man sal happin to be slane, hurt, or tak seiknes in the said service quhairof he happin to deceise, the nerrest qualifiit persoun of his kin sal haif the presentatioun and provisioun of his benefice for that tyme allanerlie, and the frutis of the ground and annet to pertene to the executouris of the personis swa deceissand.

Charge on the Duke and uthers.

The King and Quenis Majesteis, for certane ressonabill caussis and considerationis moving thair Hienessis, ordanis lettres to be direct to officiaris of armes, sheriffis in that part, chargeing thame to pas, and in thair Hienessis name and autoritie command and charge—James Duke of Chestellarault, Archibald Erle of Ergyle, Alexander Erle of Glencarne, Gawin Commendatare of Kilwynning, Robert Lord Boyd, Andro Lord Uchiltre, Williame Cunynghame of Cunynghameheid, Johnne Lokkart of Bar, James Chalmers of Gaitgirth, Williame Campbell, tutour of Cesnok,—personalie, or at thair dwelling places, to present thame selffis befoir the King and Quenis Majesteis at Sanctandrois, or quhair it sal happin thame to be for the tyme, upoun the sext day nixt eftir thai and ilk ane of thame respective beis chargit thairto, to answer to sic thingis as salbe laid to thair charge; and gif thai failye thairin, the saidis sex dayis being bipast, to denunce thame rebellis, and put thame to the horne, and to eschete.

Commission of Lieutenendry to the Erl of Lenox.

The King and Quenis Majesteis, undirstanding that James Erle of Murray, Andro Erle of Rothes, Williame Kirkcaldy of Grange, Maistir James

Halieburtoun Provest of Dunde, and utheris, ar ordourlie denunceit thair Hienessis rebellis and put to the horne, quhairof nocht onelie is intimatioun maid to Archibald Erle of Ergyle, James Duke of Chestellarault, bot alswa inhibitioun maid to thame and all utheris nocht to resset, supple, or intercommoun with the saidis rebellis, undir the pane to be repute and haldin as art and part with thame in thair rebellioun and offenssis. And nochtwithstanding the foirsaid intimatioun and inhibitioun, the saidis Duke and Erle, and utheris, Erlis, Lordis, Baronis, inhabitantis of the sherefdomes of Lanerk, Renfrew, Dunbartane, Tarbet, the baillieris of Kyle, Carrik, and Cunynghame, and utheris ceisse nocht manifestlie, maliciouslie, and wilfullie to resset, supple, and intercommoun with the saidis rebellis, to ryde and gang with thame, and utherwyise to assist and tak plane part with thame in thair rebellioun; and being chargit to randir and deliver thair houssis and strenthis, hes contempnandlie dissobeyit and resistit thair Majesteis autoritie in that behalf; and thairfoir be the lawis and custum of this realme, thai aucht to be demanit as manifest rebellis and tratouris. And thair Majesteis having speciall and maist assurit confidence in the reddie guid will and diligence of thair derrest fadir and rycht traist counsalour, Mathew Erle of Levenox, Lord Dernlie, and that he will nocht spair to wair himself, his freindis and haill force, in the persute of thair Majesteis rebellis and bringing thame to obedience, hes thairfoir maid, constitute, and ordanit, and be thir presentis makis, constitutis, and ordanis thair said fadir and traist counsalour thair Lieutennent-Generall owir all the boundis of the sherefdomes of Lanerk, Striviling, Dunbartane, Renfrew, Air, Wigtoun, the stewartrie of Menteith and baillieris of Kyle, Carrik, and Cunynghame, the sherefdome of Drumfreis and stewartreis of Kirkcudbrycht and Annandirdaill, gevand, grantand, and committand to him full power, speciall command, expres bidding, and charge;—court or courtis of lieutenandrie, in quhatsumevir part or place of the boundis abonewrittin, and als oft as neid beis,—to set, begin, afferme, hald, and continew; soyttis, to mak be callit; absentis to amerciat; trespassouris to puneis; unlawis, amerciamentis, and eschetis of the saidis courtis, to ask, lift, and raise; deputtis, ane or ma, in the said office of lieutenendrie, with clerkis, serjandis, dempstaris, and all utheris officiaris and memberis of Court neidfull to mak, creat, substitute, and ordanet; for the quhilkis he salbe haldin to answer; and alswa to pas, serche, seik, and persew the saidis rebellis, thair assistaris and partakaris, and to command and charge all and sindry inhabitantis of the boundis abonewrittin to ryise and pas furthwart with him, or his deputtis, to that effect; and in caise thai ather participat with the saidis rebellis, or refuise to assist and obey the said lieutenent in persute of thame, or resisting of invasioun in caise thai sal happin to persew, that than the said Lieutennent repute, hald, and persew thame as the rebellis thameselffis; and to charge and require all houssis, strenthis, and forteressis within the boundis foirsaidis quhilkis ar haldin, or sal happin to be haldin, aganis thair Majesteis, to be randarit and restorit; and in caise the samyn salbe refusit to assege thame, raise

fyre and use all uther kynd of hostilitie and weirlyke ingyne unto the wynning and recovering thairof. And in caise the saidis rebellis, thair assistaris or partakaris, or utheris beand in cumpany with thame, sal happin to be hurt, slane, or mutilat, or thair cornis and gudis to be spulyeit and distroyit, or thair houssis brint and cassin doun, the samyn salbe na cryme to the said lieutenent nor the faythfull subjectis being with him in cumpany, nor thai nor nane of thame salbe callit nor accusit thairfoir, criminalie nor civilie, be any maner of way in tyme cuming; exonerand and dischargeand thame of all actionis, criminal or civile, that may be movit or intentit aganis thame thairfoir; and in like maner to ressave in favour sic rebellis or thair favouraris as the said Lieutenent sall think gude, to relax thame fra the proces of horne simpliciter, or for sic space as he sall think expedient, and gif thame the wand of peace; the eschetis of the saidis rebellis, thair assistaris and partakaris, to intromet with and uptake, that ane half thairof to his awin use, and the uther part, to thair Majesteis use, to inbring and mak compt in the chekker; and generallie all and sindry utheris thingis to do, exerce, use, and hant, that to the office of lieutenendrie of law or consuetude ar knawin to pertene; ferme and stabill haldand, and for to hald, all and quhatsumevir thingis thair said Lieutenent, his deputtis and officiaris in his name, in the premissis lauchfullie bedis to be done. And that this present Act be a sufficient warrand to the Chancellar and his deputtis for passand ane commissioun to this effect undir the greit seill without ony uther precept or warrand. And forder, ordanis lettres to be direct for publicatioun of the present commissioun at the marcat croces of the sherefdomes abonewrittin, and utheris places neidfull, and to command and charge all and sindry thair liegis, to answer and obey the said Lieutenent in the premissis; and this present commissioun, during thair Majesteis will and quhill thai expreslie discharge the samyn, to induir.

Apud Sanctandrois, xii Septembris, anno Domini millesimo quingentesimo sexagesimo quinto.

Presentibus, Rex et Regina. Sederunt. Jacobus Comes de Atholl. Joannes Comes de Mar. Patricius Dominus Ruthven. Secretarius. Willelmus Murray de Tulybardin. Computorum Rotulator. Magister Jacobus Balfour, Rector de Flysk.

Band in Fyffe.

We, the baronis and gentilmen undersubscrivand, bindis and obleissis us, and upoun oure honouris faythfullie promittis that we, and ilk ane of us, sall trewlie serve the King and Quenis Majesteis, our Soveranis, and quhome thair Majesteis hes constitute and appointit thair Lieutenent within the boundis of the sherefdomes of Fyff, Kinross, and Clakmannane, and sall ryise and pas furthwart with him in thair Majesteis service alsoft as he sall gif advertisement, owther for resisting thair Hienessis rebellis or persewing thame and expelling thame furth of this cuntre, or to resist and invaid Ingland, in caise it sal happin

to persew; and gif neid be, ilkane of us sall concur and assist with utheris, and in that respect sall lay apart all actionis of deidlie feid or uther grudge or contraversie standing betuix us, or ony of us, during the tyme of thair Majesteis service, and quhill thair said Lieutennent be dischargeit, without all affectioun or respect to ony persoun or personis, undir the pane of perjure and perpetuall defamatioun, as we will answer to God, and upoun oure allegeance to thair Hienessis. The quhilk to do we haif maid oure bodelie aithis, and in takin thairof hes subscrivit thir presentis with oure handis as followis, at Sanctandrois, the xii day of September, the yeir of God j^{m}v^{c}lxv yeris. Sic subscribitur, Henry Maister of Sinclair, Kynneir, David Barclay of Cullernay, Burllie Balvard, Johnne Anstruther of that Ilk, Johnne Boswell of Balmowta, youngar, Patrik David Spens, James Sandelandis, Andro Wod of Largo, Alexander Trayll, Sir Williame Bruce of Erlishall, David Myrtoun of Randerstoun, Patrik Lindesay, Johnne Wemis of that Ilk,

Johnne Forret of that Ilk, with my hand at the pen led be Alexander Hay, notar, Williame George Mowtra, youngar of Seyfeild, with my hand at the pen led be the notar abonewrittin, Andro Farny of that Ilk, with my hand at the pen led be the said notar, David Lindesay of Pyotstoun, Sir Williame Scot.

Touart the Reid Pink liand at Pettinweme.

The quhilk day, anent the diverse supplicationis presentit to the King and Quenis Majesteis towart the intromissioun with ane schip nemmit the Reid Pink, laitlie arryvit in the raid of Pettinweme, be certane inhabitantis of the toun of Anstruder, and thaireftir at command of thair Majesteis and be vertew of thair commissioun, brocht in be Johnne Anstruther of that Ilk; the ressonis and allegationis of all partiis comperand beand hard and undirstand, the King and Quenis Majesteis ordanis Robert Leslie of Arthourseir, thair Hienessis Chalmerlane of Sanctandrois and Pettinweme, to ressave and intromet with the said schip and haill munitioun, artailyearie, saillis, victualis and uther grayth being thairin; and in caise ony uther persoun or personis hes intromettit with ony part or portioun of the samyn, that thai restoir and deliver the samyn to the said Chalmerlane, and that he conserve and keip the samyn to be furthcumand to the behuif of thame that hes maist rycht and interes thairto; and that Thomas Scot of Abbatishall, baillie of the regalitie of Pettinweme, tak sic souertie as he will answer for, that the personis, takaris of the said schip, dwelland within the said baillierie, sall entir and compeir befoir thair Majesteis, or befoir thair Justice and his deputtis upoun xv dayis warning, quhen and quhair thai salbe requirit; and that the Dens men and utheris quhilkis wer apprehendit in the said schip, and presentlie clamis hir, find likwyise souertie to answer to the lawis, and to that effect compeir personalie at Edinburgh, befoir the Lordis Auditouris of the Chekker, the xxv day of September instant; and that all partiis that hes or pretendis rycht or entres to the said schip, gudis, or geir, being within hir, compeir the said day to follow and persew as thai wil be servit, and

that the said Densmen and utheris equippage being in the said scnip find souertie to thair Majesteis Chalmerlane foirsaid, and that he ressave the samyn in sic sort as he will answer.

Cautionaris for the Gentilmen of Fyffe wardit in the Northland.

The quhilk day, Sir Williame Scot of Balwery Knycht, is becum cautionar and souertie for Andro Wod of Largo; Johnne Anstruther of that Ilk, cautionar for Patrik Lermonth of Dersy; Patrik Kynnynmouth of Craighall, souertie for Andro Murray of Balward; and the said Lardis of Anstruther and Lard of Craighall, cautionaris and souerteis, conjunctlie and severallie, for Alexander Traill of Blabo; that the saidis Andro Wod, Patrik Lermonth, Andro Murray, and Alexander Traill sall entir thair personis in ward within the toun of Abirdene within sevin dayis nixt eftir the dait heirof, and thair remane—or in ony uther partis at thair plesour benorth the wattir of Dee—ay and quhill thai be fred be thair Hienessis, and on na wayis sall eschaip nor eschew out of the saidis boundis. Viz., ilkane of the saidis Lardis of Largo, Dersy, and Balward, undir the pane of twa thowsand pundis; and the said Lard of Blabo, undir the pane of ane thowsand pundis; and that the saidis personis obleissis thame and ilk ane of thame to releve thair saidis souerteis of this present Act, and all pane and danger that thai may incur thairthrow; providing alwayis that the said Lard of Largois sone enterand in his rowme, he depart hame without prejudice or perrell, and siclike his sone he enterand. Sic subscribitur, Patrik Lermonth of Dersy, Patrik Kynnynmouth, Johnne Anstruther of that Ilk, Andro Murray of Balward, Maistir Williame Scot, Andro Wod of Largo, Alexander Traill.

Cautionaris for Thomas Scott of Abbatishall.

The quhilk day, Sir Williame Scot of Balwery Knycht, and Alexander Hepburne of Quhitsum, band and obleist thame, conjunctlie and severalie, be thair handis uphalde, that Thomas Scot of Petgorno sould entir his persoun in ward within the burgh of Edinburgh, and thair to remane during thair Hienessis plesour; and quhill he be fred be thair Majesteis betwix the dait heirof and Settirday at even nix to cum, the xv day of this instant, and on na wayis sall eschaip or eschew undir the pane of twa thousand pundis.

Declaration of the intention of the Rebellis.

Henrie and Marie, be the grace of God, King and Quene of Scotland, to all and sindry oure liegis and subdittis to quhais knawlege thir oure lettres sall cum, greting: Forsamekill as in this uprore laitlie rasit up agains us be certane our rebellis and thair assistaris, the authouris thairof, to fyle the eyis of the sempill people, hes given thame to undirstand that the querrell thai had in hand wes onelie religioun, thinking with that clok to covir thair uther ungodlie disseignes, and swa undir pretence of that plausabill argument to draw eftir thame a large tale of ignorant personis easie to be seduced. Now for preservation of oure guid subjectis quhais cais wer to be petied gif thai blindlie sould be sufferit to be trapped in sa dangerous a snare, it hes plesit the gudnes of God be the utterance of thair awin mouthis and writtingis to us to discovir the poyson that befoir lay hid in thair hartis,

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albeit to all personis of cleir jugement the samyn wes evident aneuch of befoir; for quhat uther thing mycht move the principall rasaris of this tumult to put thame selffis in armes agains us so unnaturallie, upoun quhome we had bestowed sa mony benefites, bot that the greit honour we did unto thame that being thairof maist unworthie, maid thame to misknaw thame selffis, and that thair insaciabill ambitioun could nocht be satisfeit with heaping riches upoun riches, and honour upoun honour, onles thai mycht receave in thair handis us and our haill realme to be led, usit, and disponit at thair plesour. Bot gif this could nocht the multitude haif persavit, gif God for disclosing of thair ypocrise had nocht compellit thame to uttir thair unressonabill desyre to govern; for now be lettres send frome thame selffis to us, thai mak plane professioun that the establissing of religioun will nocht content thame, bot we mon on force be governit be sic counsall as sall pleis thame to appoint unto us, a thing sa far beyond all measour that we think the onelie mentioun of sa unressonabill a demand is sufficient to mak thair nerrest kynnisfolk thair maist mortal ennemeis, and all men run on thame without forder scrupill, that are zealous to haif thair native cuntre remane still in the stait of a kingdome. For quhat uther is this bot to dissolve the haill polecie, and in a maner to invert the verie ordour of nature, to mak the Prince obeyand, the subjectis to command; the lyke wes nevir demandit of ony our maist nobill progenitouris heirtofoir, yea nocht of Governouris or Regentis; bot the Prince, or sic as occupiit thair place, evir chesit thair counsall of sic as thai thocht maist fitt for the propois quhen we our selffis wer of les aige, and at oure first arryvall in our realme we had fre choyse of our counsall at our plesour; and now quhen we ar at oure full majoritie, sall we be brocht bak to the stait of pupillis and minoris, or be put undir tutele. Sa lang as sum of thame buir the haill swynge with us thame selffis, this mater wes nevir callit in questioun, bot now quhen thai can nocht be langar permitted to do and undo all thingis at thair appetyte, thay will put a brydill in our mouthis, and gif us a counsall choysen eftir thair fantasie. This is the querrell of religioun thai maid you beleif thai had in hand. This the querrell for the quhilk thai wald haif you hasart your lyvis, landis, and gudis in cumpany of a certane rebellis aganis your naturall Princes; to speik it in guid language, thai wald be Kingis thame selffis, or at the leist leving to us the bair name and titill, tak to thame selffis the haill use and administratioun of the Kingdom. We haif thocht guid to mak publicatioun heirof unto you to thend ye suffir nocht your selffis to be deceaved undir pretence of religioun to follow thame quha, preferring thair particular avancement to the publict tranquillitie, and having na cair of you in respect of thame selffis, wald, gif ye will harkin to thair voce, draw you eftir thame to your uttir distructioun; assuring you that as ye haif heirtofore had guid experience of our clemencie, and undir our wingis enjoyed in peace the possessioun of your awin gudis, and levis at liberty of your conscience; sa may ye be in full assurance of the lyke heireftir, and haif us alwayis your guid and

loving Princes, sa mony as sall contene your selffis in dew obedience and do the office of faythfull and naturall subjectis. Gevin undir oure signet, and subscrivit with our handis, at Sanctandrois, the thrid day of September, and of oure regnnes the first and xxiii yeris.

Apud Dunde, xiiij die mensis Septembris, anno Domini millesimo quingentesimo sexagesimo quinto.

Sederunt. Joannes Comes de Atholl. Patricius Dominus Ruthven. Secretarius. Magister Jacobus Balfour.

EXTRAORDINARII.

David Comes de Craufurd. Joannes Dominus Invermeyth.

Declaratioun touart establishing of religion.

Forsamekill as the King and Quenis Majesteis having perfyte knawlege of the manifest defectioun and rebellioun of diverse thair subjectis, and how thai nocht onelie had armit thame selffis, and with greit convocationis riddin and past to and fra in the realme, doand that in thame lyis to subvert the haill stait of the commoun weill, bot als hes fortifiit and withhaldin diverse houssis, castellis, and forteressis aganis thair Majesteis and thair autoritie, mynding as may weill appeir be thair procedingis to abstract all debtfull obedience, and to draw in strangearis and utheris to participat with thame in thair attemptattis. Thair Majesteis thairfoir direct thair proclamationis and chargeis, commanding all and sindry thair liegis betwix lx and xvj yeris, and utheris fensabill personis alsweill dwellland to burgh as to land, within Regalitie as Rialtie, that thai, and ilkane of thame, sould prepair thame selffis, and put thame in reddines with xx dayis provisioun, as thai salbe commandit upoun thre dayis warning to cum to thair Majestie, to the effect that the saidis rebellis mycht be persewit and invadit—or Ingland resistit in caise it sould happin to invaid—as the proclamatioun past thairupoun beris. And now thair Majesteis having suir knawlege that thair saidis rebellis intendis to abyde and continew in thair rebellioun to fortifie and withhald thair houssis and strenthis aganis thair Hienessis, and to adjone thame selffis to strangearis, and fortifiit be thair power and ayd, to invaid and persew all and sindry thair Hienessis faythfull and guid subjectis. For resisting of quhais temerarious attemptattis, thair Majesteis, in propir personis, myndis, God willing, to tak the feildis, and to omit na thing undone that in honour appertenis to thair Hienessis in that behalf. Thairfoir ordanis lettres to be direct to officiaris of thair Majesteis, sheriffis in that part, chargeing thame to pas to the marcat croces of the heid burrowis of the sherefdomes, stewartreis, and baillieris undirwrittin, viz., Edinburgh principall and within the constabularie of Hadingtoun, Linlythquow, Striviling, Dunbartane, Lanark, Renfrew, Air, Wigtoun, Drumfreis, Fyff, Kinross, Clakmannane, the stewartreis of Kirkcudbrycht, Menteith, baillieris of Kyle, Carrik, and Cunynghame; and thair, be oppin proclamatioun in thair Hienessis name and autoritie, command and charge all and sindry thair Majesteis liegis betuix sextie

and sextene yeris, and utheris fensabill personis, alsweill dwelland to burgh as to land, within Regalitie as Rialte, within the boundis of the Sherefdomes, Stewartreis, and Baillieris abonewrittin, that thai, and ilk ane of thame, weill bodin in feir of weir, and provydit to remane for the space of xx dayis eftir thair cuming, with palyeonis to ly on the feildis, addres thame to meit thair Hienessis at Striviling the last day of September instant, and fra thyne to pas furthwart with thair Majesteis as thai salbe commandit, undir the pane of tinsall of lyff, landis, and gudis.

Apud Dunde, xv die mensis Septembris, anno Domini millesimo quingentesimo sexagesimo quinto.

Sederunt. Domini ut in die predicto.

Proclamation before the Army that past to Drumfreis.

Forsamekill as the King and Quenis Majesteis, undirstanding the seditious and untrew reportis spred amangis thair liegis, alsweill be word as be writting, be the rebellis and thair assistaris; and, that thair Hienessis myndit to na thing ellis bot to the subversioun of the stait of religioun quhilk thair Majesteis fand publictlie and universallie standing at thair arryvall in this realme; to bring bak and abolysche the Law of Oblivioun; and to observe na point of that thing spokin and promittit be hir Hienes in Striviling; and be that to fyle the eyis of the blind peopill, and to alienat thair myndis frome thair Majesteis obedience; quhair as nane of thair maist wickit and fals brutis evir enterit in thair Hienessis myndis. And thairfoir to the effect that the reportaris of it may be knawin—as thai ar in deid—seditious personis, and ennemeis to this commoun weill, and that all the subjectis may haif perfyte knawlege and assurance of thair Majesteis sinceir meaning towart the establissing of religioun, be the avyse of thair Secreit Counsall, thocht convenient this to certifie unto thame, that as thair Majesteis heirtofoir hes na wayis preissit ony personis in the fre use of thair conscience, nor attemptit na thing aganis the said religioun fand publictlie and universallie standing at thair arryvall, as said is, sa may thair guid subjectis assuir thame selffis to be in full suirtie thairof in tyme cuming. And to the end that the samyn may be abolissit, and all actis, lawis, and constitutionis, canone, civill or municipall, prejudiciall to the samyn may be abolischit and put away, thair Hienessis intendis to hald Parliament sa sone as the occasioun will permit, quhilk lang befoir now had bene performit, gif the authouris of this uprore had nocht thame selffis bene the instrumentis of the stay, and be thair defectioun impedit the thing quhairunto thair Hienessis wer, and presentlie ar, maist bent and willing. And forder fully to performe and accomplische all thingis quhilkis be hir Majestie wes owther spokin or promeist at Striviling, and to provide all sic utheris thingis tending to the securitie of thame professing the said religioun, in personis, landis, possessionis, and gudis, as thai thame selffis of ressoun can devyise or require; and alswa thair Majesteis sall of new ratifie and confirme the said Law of Oblivion, and finalie leif na thing

undone quhilkis thair saidis subjectis ressonabillie may crave at the handis of thair Majesteis; and that lettres be direct for publicatioun heirof in dew forme, as efferis.

Apud Edinburgh, xxi die mensis Septembris, anno Domini millesimo quingentesimo sexagesimo quinto.

Sederunt. Joannes Comes Atholie. Patricius Dominus Ruthven. Joannes Comes de Mar. Secretarius. Thesaurarius. Computorum Rotulator. Clericus Justiciarie. Clericus Registri. Advocatus. Magister Jacobus Balfour.

Cesfurde. Pharnyhirst. Hunthill.

The quhilk day, the King and Quenis Majesteis expreslie chargeit and commandit Thomas Ker of Pharnyhirst Knycht, and Johnne Rutherfurd of Hunthill, that thai, and ilkane of thame, entir ane of thair men contenit in the billis of Ingland to Walter Ker of Cesfurd Knycht, Wardane of the Middill Marchis of this realme, for his releif and for releif of Thomas Ker his servand, presentlie liand in Ingland, viz.: for the billis of Newtoun, and for Johnne Scottis billis of Wowlar, upoun Weddnisday, the xxvj day of this instant moneth of September; and ather of the saidis Sir Thomas and Johnne Rutherfurd sal haif ane of thair men reddie to be deliverit at the day of trew, to be haldin upoun Fuirsday, the xxvii day of the said moneth, for the bill of Allantoun, in caise the said Sir Walter, Wardane foirsaid, or preissit be the opposite Wardane to mak delivery thairfoir. And to the effect that the personis swa to be enterit may haif thair releif aganis thair steill fallowis, as alswa justice may be ministrat to all thair Majesteis liegis within the said Wardanerie, thay haif commandit the said Sir Waltir Ker to hald ane Wardane Court in Kelso, upoun Twysday cum aucht dayis, the day of October nix to cum, and that he leif na thing undone that he may for releif of this realme and subjectis thairof, as he will answer upoun the executioun of his office; and that lettres be direct heirupoun, gif neid beis, in forme as efferis.

Erle of Atholl. Johnston. Ker.

The quhilk day, in presens of the Lordis of Secreit Counsall, comperit Johnne Erle of Athole, Lord of Balvany, etc., on the ane part; and Maistir Alexander Skene, as procuratour for the personis eftir specifiit be thair lettres of procuratorie, subscrivit with thair handis, lauchfullie constitute, on the uther part; and desyrit the contractis undirwrittin to be actit and registrat in the bukis of Secreit Counsall, to haif the force of ane act and decreit of the Lordis thairof. Quhilk desire the saidis Lordis thocht ressonabill and interponit thair autorite to the samyn, of the quhilkis contractis the tennour followis:—At Edinburgh, the xxvi day of August, the yeir of God j^{m}v^{c}lxv yeris, it is appointit, contractit, and finallie endit betuixt the rycht excellent, rycht heich and illustir Princesse Henrie and Marie, King and Quene of Scottis, on that ane part; and ane nobill and mychty lord, Johnne Erle of Atholl, on that uther part, in maner following. That is to say, thair Majesteis hes gevin and grantit and be the tennour

For the leid myndis.

heirof gevis and grantis licence to the said Erle, his assignayis, factouris, and servandis, ane or ma, to win, or caus be win, fourtie thowsand trone stane wecht—comptand sex scoir stanis for ilk hundrith of leid ure—and mair gif the samyn may guidlie be win, within the nethir leid hoill of Glengonar and Wynlok—now occupiit be Johnne Achesoun and Johnne Aslowane—for the space of fyve yeris nixt eftir the dait heirof; with power to the said Erle, his assignayis, factouris, and servandis foirsaidis, to win and cause be win the foirsaid leid ure within the boundis and space foirsaid, and to transport and carie the samyn furth of this realme to the partis of Flanderis, or ony part quhair thai pleis during the said space, providing alwayis that the samyn be first weyit and markit be ane to be depute be thair Majesteis thairto. For the quhilkis caussis the said Erle obleissis him and his airis to pay to thair Majesteis,—thair Thesaurare, now present, or being for the tyme, or to quhome thair Hienessis sall depute to that effect,—for everie thowsand stane wecht—trone wecht as said is—of the said leid ure, fiftie unces of fyne silvir, in maner and at the termis following. That is to say, for everie thre thowsand stane wecht within twa monethis eftir the wynning and marking of everie thre thowsand stane wechtis, and swa furth for everie thre thowsand stane wecht during the said space of fyve yeris; and gif thair beis ony mair than the saidis fourty thowsand stane wechtis win in the saidis places within the saidis fyve yeris, the said Erle sall pay thairfoir the prices and at the termis abonespecifiit. And gif ony of the said leid ure be untransportit at the ische of the saidis fyve yeris, it sal be lesum to the said Erle, his assignayis, factouris, and servandis foirsaidis to transport the samyn ony tyme thaireftir, payand the dewitie thairfoir as said is. Attoure, the said Erle sall mak the expenssis of him that is to be depute be thair Majesteis to wey the said leid ure during the said space. And als Lucas Wilsoun, James Johnnestoun of Kellobankis, James Aikman, and Robert Craig, burgessis of the burgh of Edinburgh, as cautionaris and souerteis for him, salbe actit in the bukis of Secreit Counsall for payment of the saidis fiftie unces of fyne silver for ilk thowsand stane wecht of the said leid ure at the termis foirsaidis, ilkane of thame severalie for thair awin part. And for the mair securitie heirof, the said Erle and his cautionaris foirsaidis ar content and consentis that thir presentis be actit and registrat in the saidis bukis of Secreit Counsall, and decernit to haif the strenth and effect of the Lordis decreit thairof, and thair auctorite to be interponit thairto, with lettres and executoriallis owther of horning or poinding to be direct thairupoun aganis thame, or ony of thame severalie for thair awin part as said is, in forme as efferis. In witnes of the quhilk thing, our saidis Soveranis Lord and Ladie, the said Erle and his souerteis foirsaidis, hes subscrivit this present contract with thair handis as followis, day, yeir, and place foirsaidis, befoir thir witnessis. Sic subscribitur, Marie. Henrie. Johnne Erle of Atholl. James Johnnestoun with my hand. James Aikman with my hand. Lucas Wilsoun, burges of Edinburgh, ane of the cautionaris foirsaidis, with my hand at the pen led be the notar undirwrittin at my command: Ita est

Patricius Hewart, notarius publicus, de mandato dicti Luce subscribere nescientis ut asseruit, teste manu mea, Robert Craig.

At Edinburgh, the xxviii day of August, the yeir of God j^{m}v^{c} thre scoir fyve yeris, it is appointit, aggreit, and finalie contractit betuix ane nobill and mychty lord, Johnne Erle of Athole, on that ane part; and Johnne, Robert, and Thomas Johnnestonis, and Robert Ker, burgessis and indwellaris of Edinburgh, as principallis, and thair cautionaris and souerteis undirwrittin, on the uther part, in maner, forme, and effect as eftir followis :—That is to say, forsamekill as the said nobill and mychty Lord hes obtenit of oure Soveranis Lord and Lady ane tak and licence to him,—his assignayis, factouris, and servandis, ane or ma,—to win, or caus be win, fourtie thowsand troyne stane wecht, contenand sex scoir stanis for ilk hundir—and mair gif the samyn be guidlie win, of the leid ure within the nethir leid hoill of Glengonar and Windlok, and to transport the samyn furth of the realme to Flanderis, or ony uther partis quhair it sall best pleis his Lordschip, during the space of fyve yeris nixt followand the dait of the said tak, for payment to thair Hienessis and thair Thesaurare for the tyme—or ony uther to be deput to that effect—for everilk thowsand stane wecht foirsaid fiftie unces of fyne silver, in maner and at the termis contenit in the said tak, as the samyn, of the dait, at Edinburgh, the xxvi day of August, the yeir of God j^{m}v^{c} thre scoir fyve yeris, at mair lenth proportis; and als hes, be gift of oure saidis Soveranis Lord and Lady undir thair Hienessis prevy seill, all and haill the leid ure ellis win be Johnne Achesoun and Johnne Aslowane, burgessis of Edinburgh, as yit untransportit, and ilk leid ure exceding the quantitie and nowmer of xx thowsand stane contenit in the licence gevin to the saidis Johnne and Johnne, alreddy transportit furth of this realme, and all actioun, proffeit, escheit that may pertene to thair Hienessis throw exceding of the said licence, as the said gift mair fullelie proportis. To the quhilkis lettre of tak and gift foirsaid, and all rycht, the said nobill Lord hes, or may haif thairby in ony tyme cuming, his Lordship hes maid, constitute, and ordanit—and be the tennour heirof makis constitutis and ordanis—the saidis Robert Ker, Johnne Johnnestoun of the Cotis, and Robert Johnnestoun, burgessis foirsaidis, his lauchfull and irrevocabill assignayis; transferrand fra his Lordschip in and to the saidis personis, all rycht and titill of rycht quhilk he hes or may haif, be vertew of the said tak licence and lettre of gift, with power to thame to win, sell, dispone, and transport the said leid ure according to the tennour and effect of the said tak and licence, and conforme thairto in all pointis; and siclike to intromet, tak up, and dispone according to the said gift the said leid ure, ellis win, call, persew and obtene the samyn befoir quhatsumevir juge, and all proffeit and escheit quhilk may follow throw exceding of the said licence be the saidis Johnne and Johnne, siclyke as the said Lord mycht haif done him self be vertew of the said tak and gift befoir the making of this present assignatioun. For the quhilk caus, the saidis personis as principallis, and Lucas Wilsoun, cautionar for

the said Thomas, James Johnnestoun of Kellobankis, cautionar for the said Robert Johnnestoun, Robert Craig, cautionar for the said Johnne Johnnestoun, and James Aikman, burgessis and indwellaris in Edinburgh, cautionaris for the said Robert Ker respective, bindis and obleissis thame, viz., ilkane and his awin cautionar foirsaid, conjunctlie and severalie, for thair awin partis, to content and pay to our Soveranis Lord and Lady the dewitie afoir expremit contenit in the said tak, viz., fifty unce of fyne silver for everie thowsand stane wecht of the said leid ure contenit in the said tak; and siclike for everie thowsand thairof, quhilk thai sal happin to recovir and obtene of the leid ure ellis win be vertew of the gift foirsaid, at the termis appointit in the said tak,—viz., within twa moneth, nixt and immediatlie following the wynning and selling of the said leid ure, eftir that thai sal haif recoverit and intromettit, weyit and sellit, thre thowsand stane thairof, according and conforme to the said tak and assedatioun; and als sall releif and keip skaythles the said nobill Lord and his souerteis, of all danger that thai or ather of thame may incur be vertew of the said tak, and sal persew the saidis Johnne and Johnne for recovering of the said leid ure ellis win, as efferis of the law; and als thai sal mak the expenssis of ane servand to be deput be our Soveranis Lord and Lady, or be the said Lord to serve for the troning, wynning, and selling of the said leid ure; and gif ony payment or expenssis aucht to be gevin furth, or restorit for the leid ure ellis win, quhilkis thai sal happin to recovir, the saidis personis sall sustene the chargeis and mak payment thairof be thair awin coistis, providing that thai caus the said leid ure, quhilk thai may recovir be vertew of the said gift all reddie win, to be seillit, markit, and weyit, and mak payment of all dewitie quhilk thai aucht to pay thairfoir, to quhatsumevir persoun within the space of twa yeris nixt following the dait heirof; and the said weying and payment being made, as said is, that thai may use siclike rycht for transporting thairof as the said Lord mycht haif done himself be vertew of ony titill pertening to him thairanent; and that it sall nocht be lesum to transport thaireftir ony part thairof, les nor the samyn be seillit, weyit, and dewitie thairof compleitlie payit within the space foirsaid; and in caise thair be ony silver, gold ure fund be the saidis personis the laubouring of the said leid ure, thai sall denunce the samyn to the said Lord, to the effect that ordour may be tane thairanent as efferis. And the saidis partiis obleissis thame to releif thair cautionaris respective, viz., ilkane thair awin cautionar afoir expremit. And the saidis partiis and cautionaris ar content that this present contract be registrat in the bukis of Secreit Counsall, and decernit to haif the strenth of ane decreit, and that executoriallis pas thairupoun in forme as efferis. In witnes heirof, thai haif subscrivit this present contract with thair handis, as eftir followis, day, yeir, and place foirsaidis, befoir thir witnessis, Maistir Alexander Skeyn, Johnne Ormistoun, Johnne Johnnestoun, and Maister Duncane Skeyn, with utheris diverse. Sic subscribitur, Johnne Erle of Athole. James Johnnestoun of Kellobankis. Thomas Johnnestoun. James Aikman. Johnne Johnnestoun of the Cotis. Robert Johnnestoun. Robert Ker. Robert Craig.

I, Lucas Wilson, with my hand at the pen led be Johnne Ormistoun, notar publict, at my command, becaus I could nocht wryte. Ita est Joannes Ormistoun de mandato dicti Luce scribere nescientis manu sua.

We, Robert Ker, Johnne Johnnestoun of the Cotis, Thomas Johnnestoun, Robert Johnnestoun, James Johnnestoun of Kellobankis, Lucas Wilsoun, Robert Craig, James Aikman, burgessis of Edinburgh, hes maid, and be the tennour heirof makis, Maistir Alexander Skene, oure procuratour, to compeir befoir the Lordis of Secreit Counsall, and consent to the registratioun of twa contractis, the ane thairof maid betuix oure Soverannis Lord and Lady, and Johnne Erle of Atholl, and certane of us as cautionaris for his Lordschip, of the dait at Edinburgh, the xxvi day of August, the yeir of God $j^{m}v^{c}$ thre scoir fyve yeris; the uther maid betuix the said nobill Lord and us, as principallis, as cautionaris respective, as the said contract, of the dait at Edinburgh, the xxviii day of August, the yeir of God foirsaid, mair fullelie proportis. In witnes heirof we haif subscrivit thir presentis, with our handis, at Edinburgh, the penult day of August, the yeir of God $j^{m}v^{c}$ thre scoir fyve yeris, befoir thir witnessis, Alexander Sauche, Johnne Johnnestoun, youngar, and Johnne Ormistoun, with utheris diverse. Sic subscribitur, Robert Ker. James Aikman. Robert Craig. Johnne Johnnestoun of the Cotis. James Johnnestoun of Kellobankis. Thomas Johnnestoun. Robert Johnnestoun, with my hand. Lucas Wilsoun, with my hand at the pen led be Johnne Ormistoun, notar. Ita est, Joannes Ormistoun notarius publicus, de mandato dicti Luce scribere nescientis. Alexander Hay. I compeir and consentis to the registratioun of twa contractis for thir personis abonewrittin, sic subscribitur, Maistir Alexander Skene.

Apud Edinburgh, xxi die mensis Septembris, anno Domini millesimo quingentesimo sexagesimo quinto.

Charge on Archibald Campbell and utheris.

The King and Quenis Majesteis, for certane ressonabill caussis and considerationis moving thair Hienessis, ordanis lettres to be direct to officiaris of armes, shereffis in that part, chargeing thame to pas, and in thair Hienessis name and autoritie command and charge,—Archibald Campbell callit of the wyne sellar in the Clauchane, Johnne Campbell capitane of Carrik, Donald Campbell of Dorling, Archibald Campbell in Latrowall, Dougall Campbell in Stoknageich, Robert Campbell in Auchingatht, Duncane Campbell in Auchinvanell, Jonet Campbell—and Robert Barre, barbour hir sone—in Knokdole, Maistir Andro Hay persoun of Renfrew, Sir James Walker persoun of Inchecolyeocht, Robert Sempill of Foulwod, George Montgomery burges of Dunbartane, Constantane Walkinschaw burges of Dunbartane, and Williame Sempill of Burnhill,—personalie or at thair dwelling places, to compeir befoir thair Majesteis and Lordis of thair Secreit Counsall, at Edinburgh, or quhair it sal happin thame to be for the tyme, upoun the sext day nixt eftir thai and ilkane of thame be chargeit thairto, under the pane of rebellioun and putting of thame to the

horne; and gif thai failye thairin, the saidis sex dayis being bipast, to denunce thame rebellis and put thame to the horne, and to escheit, etc., and that to answer to such thingis as salbe laid to thair charge.

Band of Nythisdale and Annanderdale.

We, the baronis and gentilmen undirsubscrivand, bindis and obleissis us, and upoun our honouris faythfullie promittis, that we and ilkane of us sall trewlie serve the King and Quenis Majesteis our Soveranis, and quhatsumevir persoun or personis quhome thair Hienessis gevis thair power and commissioun unto, and commandis us to obey—and in speciall, James Erle Bothwell, or ony uther to be appointit Lieutennent or Wardane for the tyme—in resisting or persute of thair Majesteis rebellis or defence of Ingland in caise it sal happin to invaid. And to the effect that we may be the mair abill to this effect and purpois, and be in reddines to assist and concur with utheris, we sall lay apart all actionis of deidlie feid or uther particular grudge or contraversie quhatsumevir, during the tyme that thair Hienessis sall will this our band to be continewat, and quhill thair Majesteis discharge the samyn without respect to be had to quhatsumevir persoun or personis, undir the pane of perjure and perpetuall defamatioun. In witnes heirof, we haif maid our bodelie aithis to fulfill the premissis, and hes subscrivit the same with our handis as followis, at Edinburgh, the xxi day of September, the yeir of God j^{m}v^{c}lxv yeris. Sic subscribitur. Johnnestoun. Closburne. Johnne Jardane of Apilgirth. James Johnnestoun of Corre. Williame Kirkpatrik of Kirkmichaell, with my hand at the pen led be Alexander Hay, notar, at my command.

Band of Teviotdale.

[The Barons and gentlemen of Teviotdale grant a band in the same terms, at Edinburgh, on 23d September following, subscribed by Cesfurd. Pharnyhirst. Thomas Turnbull of Bedrowll. John Rutherfurd of Hunthill (his hand being led by Alexander Hay, notary). Andrew Ker of Littildene. John Mow of that Ilk, whose hand was led by Alexander Hay, notary.]

Apud Edinburgh, quinto die mensis Octobris, anno Domini millesimo quingentesimo sexagesimo quinto.

Souirtie for John Paterson.

The quhilk day, James Barroun, burgess of Edinburgh, is becum actit and obleist as souertie for Johnne Patersoun, burges of Cowpar, that he sall entir his persoun in ward, within the Castell of Dunbar, thair to remane, ay and quhill he be fred be the King and Quenis Majesteis within twelf dayis nixt eftir the dait of the samyn, and on na wayis sall eschaip or eschew furth of the samyn, undir the pane of twa thousand markis; and the said Johnne obleist him to releif the said James of the said act and all pane and danger that he sal happin to incur thairthrow. Sic subscribitur, James Baroun. Johnne Patersoun.

Apud Edinburgh, septimo die mensis Octobris, anno, etc. lx quinto.

Charge on the Hous of Annand.

The King and Quenis Majesteis ordanis ane herauld or uther officiar of armes to pas, and, in thair Hienessis name and autoritie, command and charge Johnne Maxwell of Terregles Knycht, and all utheris havaris and withhaldaris of the castell, fortalice, and place of Annand, to deliver the samyn to the officiar, executour of the said charge, within sex houris nixt eftir thai be chargeit thairto, undir the pane of tressoun, with certificatioun to thame and thai failye, the proces of forfaltour sal be led aganis thame, conforme to the lawis of this realme and Actis of Parliament.

Apud Castlehill, in exercitu, decimo die mensis Octobris, anno Domini millesimo quingentesimo sexagesimo quinto.

Presentibus, Rex et Regina. Sederunt. Matheus Comes de Lennox. Georgius Comes de Huntlie. Jacobus Comes de Bothwell. Joannes Comes de Atholl. David Comes de Craufurd. Gilbertus Comes de Cassillis. Patricius Dominus Ruthven. Secretarius. Computorum Rotulator. Magister Jacobus Balfour, Rector de Flysk. Joannes Dominus Flemyng. Patricius Dominus Gray. Edwardus Dominus Creichtoun. Patricius Dominus Lyndesay. Joannes Magister de Forbes.

Divisioun of the Battell.

The quhilk day, the King and Quenis Majesteis, having thair haill army presentlie in reddines to pas furthwart for persute of thair rebellis with thair assistaris, hes thocht convenient to devyde thair accumpaneis in battell as eftir followis:—That is to say, the wangard to be led be the rycht nobill and mychty lord, Mathow Erle of Lennox, Lord Dernlie, thair Lieutennent in the west partis of this realme, and he to be accumpaneit with the Erlis of Cassillis, Eglintoun, Lordis Sempill, Ross, Cathcart, Sanchair, Sheref of Air, Lard of Garlleis, Sir James Hammiltoun, and remanent oure Soveranis liegis within the boundis of his lieutenendrie; the reirgard to be led be George Erle of Huntlie, Johnne Erle of Atholl, and David Erle of Craufurd, and thai to be accumpaneit with the Lordis Ruthven, Glammis, Forbes, Drummond, Invermeth, and Commendatare of Deir suppleand the place of his fadir the Erle of Marschell, and sic utheris as will accumpany thame. The battell to be led be the Kingis Majesteis self, being accumpaneit be the Erlis of Mortoun, Bothuile, Mar, the Lordis Ogilvy, Flemyng, Levingstoun, Somervell, Borthuik, Yeistir, Lyndesay, Hume, and haill remanent of the realme, provyding that the present ordouring and disposing of the battellis foirsaidis be na wayis prejudiciall to the Erle of Angus, his titill and interes quhatsumevir.

Apud Drumfreis, xiii die mensis Octobris, anno Domini millesimo quingentesimo sexagesimo quinto.

Sederunt. Matheus Comes de Lennox. Jacobus Comes de Mortoun. Georgius Comes de Huntlie. Jacobus Comes de Bothwell. Joannes Comes de Atholl. Joannes Comes de Mar. Patricius Dominus Ruthven. Secretarius. Computorum Rotulator. Magister Jacobus Balfour, Rector de Flysk.

Erll of Atholl. Lord Ogilvy.

The quhilk day, anent the contraversie standing betuix the rycht nobill and mychty Lord, Johnne Erle of Atholl, Lord of Balvany, Lieutenent of the north partis of this realme, and havand rycht and titill to the Abbay of Cowpar, on the ane part; and the nobill lord alswa James Lord Ogilvy, baillie of the said Abbay, on the uthir part, tuicheing the service of the fewaris and tenentis of the said Abbay in the King and Quenis Majesteis wearis; thair allegationis being hard, and the King and Quenis Majesteis and thair Secreit Counsall avysit thairwith, considdering that thair instant wechty affaris will nocht permit the said contraversie presentlie to be decydit, continewis the decisioun of the samyn to be takin befoir thair said Secreit Counsall in Edinburgh, upoun the xxviii day of October instant. And that the said Johnne Erle of Athole gif in and present his clame and titill he hes to the service of the saidis fewaris and tenentis in writ the said day; and that the said Lord Ogilvy, the samyn day, produce sic heretabill titill and uther rycht as he hes, and will use for the service of the saidis tennentis and fewaris, to be sene and consideritt be the Lordis of Secreit Counsall; and als that he answer to the said Erle of Atholis clame upoun the thrid day nixt eftir the productioun thairof, as accordis; with certificatioun to him and he failye, the said clame salbe haldin pro confesso, bayth the saidis partiis warnit heirto apud acta.

Apud Edinburgh, xix Octobris, anno, etc. lx quinto.

Sederunt. Jacobus Comes de Mortoun, Cancellarius. Georgius Comes de Huntlie. Joannes Comes de Atholl. Joannes Comes de Mar. Secretarius. Thesaurarius. Computorum Rotulator. Clericus Justiciarie. Clericus Registri. Advocatus. Robertus Carnegy de Kynnard, Miles. Magister Jacobus Balfour, Rector de Flysk. Magister Joannes Leslie, Rector de Une.

For attending unto the coist sydis and passages.

The quhilk day, the King and Quenis Majesteis having diverse wayis ressavit suir advertisement, that nocht onelie thair rebellis with thair assistaris, in propir personis, dalie and commounlie at thair plesour reparis and passis be sey, and utherwyise throw the cuntreis of Lowtheane, Fyff and Angus; bot als diverse suspect and wickit personis hes nocht abstenit planelie to pas and repas to and fra the saidis rebellis, vilipendand thairthrow thair Majesteis autoritie, and gevand evill exempill to utheris to do the lyke, gif haisty and tymous remedie be nocht provydit. Thairfoir thair Majesteis, be the avyise of the Lordis of thair Secreit

Counsall, hes thocht meit and convenient to depute and appoint the keping of the havynnis and commoun passagis within the saidis boundis to sic personis, thair trew and faythfull subjectis, as thai haif best opinioun of. That is to say:—For Culross, Torryburne, and boundis adjacent thairto, Wardlaw of Torry, James Erskin of Littill Sauchy, and Archibald Prestoun. For the Lymkillis and the North Quenis Ferry, with the boundis adjacent thairto, the Commendatare of Dunfermling. For Innerkething, James Hendirsoun of Fordell. For Abirdour, James Erle of Mortoun, Lord of Dalkeyth, Chancellar. For Brintiland and Claynes, David Clerk and Johnne Clapen, indwellaris of Brintiland. For Kingorne, the Lard of Balmowto. For Kirkcaldy, the Abbot of Dunfermling, and Baillies of the same toun of Kirkcaldy. For Dysart and Ravynniscraig, the Maistir of Sinclair. For Wemis, Eistir and Westir, Johnne Wemys of that Ilk. For Bukhavin, Lavynnismouth and costis, Dury of that Ilk. For Largoburn, Andro Wod of Largo. For the Erlisferry, Stevin Dudingstoun of Sandfurd. For Sanctmonanis and Kilmynnane, James Sandelandis of Sanctmonanis. For Pettinweme, the said Lard of Sanctmonanis. For Anstruder on bayth the sydis of the burn, Johnne Anstrudir of that Ilk. For Craill and Kilrynny, the Baillies of the burgh of Craill. For Fyffis Ness and Balcomy, Myrtoun, eldar of Cammo. For Sanctandrois and Edynnismouth, the President and Baillies of Sanctandrois. For the South Ferry of Portincraig, David Balfour of Kirktoun. For Balmerynoch, Johnne Kynneir of that Ilk. For Pambreith, Williame Leslie. For Perth, the Provest and Baillies thairof. For Dunde, the Provost and Baillies of the samyn. For Bruchty Craig, Patrik Lord Gray. For Abirbrothok, Thomas Craufurd, Chalmerlane thairof. For Achmuty, Johnne Carnegy of Athy. For Reidheid, Johnne Lord Invermeyth. For Ullishavin, of Ullishavin. For Ferryden, David Wod of Craig. For Montroise, the Provost and Baillies thairof. For Berwy, Lard of Benholme. For Cowy and the boundis betuix the samyn and Berwy, the Erle of Marschell. For Abirdene, and all the boundis betuix Cowy and Arth, the Provost and Baillies of Abirdene. For the ferry of Arth, and all boundis betuix the samyn and Burroustounness, Bruce of Arth. For Burrowistounnes and all the boundis betuix the samyn and Blaknes, Patrik Crummy of Carriddin. For Blaknes, and all boundis betuix the samyn and South Quenis Ferry, James Hammiltoun of Kinkavill. For the said ferry, and all the boundis betuix the samyn and Crawmound, George Dundas of that Ilk. For Crawmound, and all boundis betuix the samyn and Grantoun, James Mowbray in Crawmound. For Grantoun, and all boundis betuix the samyn and the Newhavin, Melvile of Carnbo. For Leyth and Newhavin, and all boundis betuix the samyn and Mussilburgh, the Baillies of Leyth. For Mussilburgh, the Baillies of Mussilburgh. For Prestoun Pannis, George Mot. For Cokeny, Hammiltoun, Lady Seytoun. For Abirlady, Patrik Hepburne of Wauchtoun. For Northberwik, James Erle Bothwell. For

Thomptalloun, James Erle of Mortoun, Chancellar. For Dunbar and Lochlevin, Symoun Prestoun of that Ilk, Capitane of the Castell of Dunbar. For Thorntoun, Loch Skaitraw, and Aymouth, Alexander Lord Hume. And ordanis lettres to be direct to officiaris of armes, Sheriffis in that part, chargeing thame to pas, command, and charge the personis respective abonewrittin, and every ane of thame, that thai, within the boundis appointit and limitat to thame, keip continewall and suir watche, and diligentlie serche and tak inquisitioun quhat schippis, crayaris, or boittis passis furth of the samyn, or cummis within thame, as alswa quhat suspect personis being of the saidis rebellis, thair assistaris or servandis, reparis, passis, or repassis be the saidis boundis, and tak and apprehend thame, and owther present thame to the King and Quenis Majesteis with possibill diligence, or gif tymous knawlege and advertisement of the apprehensioun of thaim; and in the tyme of thair taking to serche and rype thame as the personis abonewrittin sall think maist meit and convenient. And that thai inquire at the departing of ony schip, crayer, or boit passand furth of the saidis commandis at ony port or place abonewrittin—the caus of thair daparting, the place thai ar frauchtit unto, the names of thair cumpany and equipage, and sic utheris thingis as thai sall find neidfull and requisit; as alswa to mak the lyke serche and inquisitioun of quhatsumevir schip, crayer, and boit that sal happin to arryve within ony of the portis and places abonewrittin, quhat part and place thai ar cum fra, and finding the veschellis or personis, or gudis being thairin, suspitious, that thai stay the schippis or veschellis, tak the salis fra thair rais, apprehend and impressoun the personis quhill thai knaw the King and Quenis Majesteis will and plesour in that behalf; and that thai charge all and sindry inhabitantis within the boundis limitat and appointit unto thame, to concur and assist with thame in the executioun of the premissis, undir the pane of deid, with certificatioun and thai failye, gif ony thing beis attemptit in the contrair, compt thairof salbe inquirit at thair handis.

Apud Edinburgh, xxi Octobris, anno, etc. lx quinto.

Sederunt. Domini ut in die predicto.

Cautionar for Jonet Dik.

The quhilk day, Symoun Prestoun of that Ilk, Provest of Edinburgh, is becum obleist as cautionar and souertie for Jonete Dik, the spous of Johnne Hammiltoun, burges of Edinburgh, that schō sall do to Williame Hendirsoun, constabill depute, and Grissell Hendirsoun, all that schō aucht of law.

Caution for delivering of Thomptalloun.

The quhilk day, Williame Maitland of Lethingtoun youngar Secretar to oure Soveranis Lord and Lady, Sir Johnne Bellenden of Auchnowle Knycht Justice Clerk, and Maistir James Makgill of Rankelour Nethir Clerk of Register, become cautionaris and souerteis, conjunctlie and severalie, for James Erle of Mortoun, Lord of Dalkeyth, Chancellar, that he sall randir and deliver the hous and Castell of Thomptalloun to quhatsumevir persoun it sall pleis the King and Quenis Majesteis to gif commissioun unto for

ressait thairof, upoun Weddinsday, the xxiiij day of October instant, as thai will answer and undirly to thair Hienessis on that behalf.

The quhilk day, James Barroun, burges of Edinburgh, is becum souertie for Johnne Patirsoun, burges of Cowpar, that he sall entir his persoun in ward within the burgh of Edinburgh, within xxiiij houris eftir his releif furth of the Castell of Dunbar, and sall remane within the samyn burgh during the King and Quenis Majesteis will and plesour, and quhill he be fred be thair Hienessis, undir the pane of twa thowsand markis. Sic subscribitur, James Barroun, with my hand. Cautioun for John Paterson.

Apud Edinburgh, xxii Octobris, anno, etc. lx quinto.

The quhilk day, the King and Quenis Majesteis ar suirlie informit that thair rebellis, with thair assistaris, having now withdrawn thame selffis in Ingland, dalie and continewalie at thair plesour, resortis and reparis within this realme as thai wer thair Hienessis fre liegis, perswadand and seduceand the guid subjectis to the lyke rebellioun and defectioun, and usand utheris unlefull practises; for remeid quhairof, thair Majesteis ordanis lettres to be direct to command and charge the Wardanis of the Eist, Middill, and West Marchis, that thai and ilkane of thame appoint watchis in everie hie passage, and utheris places neidfull within the boundis of thair chargeis respective, and diligentlie serche and gif attendance quhat personis owther passis in Ingland or cummis thairfra towart this realme; and finding thame to be ony of the saidis rebellis, thair assistaris, partakaris, servandis, or messingeris, or ony utherwayise suspect, that the caus of thair passage be inquirit, quhome fra thai ar cum, and to quhome thai ar direct; and gif thai be found in ony wayis suspicious, that than thair personis be stayit, takin, apprehendit, and brocht to thair Majesteis, and thame selffis rypit gif neid be, as the saidis Wardanis will answer to thair Majesteis upoun thair uttirmest charge and perrell; and that thai command and charge all and sindry the liegis dwelland within thair boundis to undirly sic directioun and appointment as salbe gevin thame be the saidis Wardanis for fulfilling of the premissis, undir the pane of deid; and to command alswa James Erle Bothwell, Lord Halis and Creychtoun, etc., Lieutenent Generall to all the saidis Marchis, to se the premissis fulfillit in all pointis, as he will answer upoun the executioun of his office. Charge on the Wardanis to attend the passaige of the Rebellis.

Apud Edinburgh, xxvi die mensis Octobris, anno Domini millesimo quingentesimo sexagesimo quinto.

Sederunt. Jacobus Comes de Mortoun, Cancellarius. Georgius Comes de Huntlie. Jacobus Comes de Bothwell. Joannes Comes de Atholl. Patricius Dominus Ruthven. Magister de Maxwell. Secretarius. Thesaurarius. Magister Jacobus Balfour, Rector de Flysk.

The quhilk day, the King and Quenis Majesteis, undirstanding the mony herschippis, slauchteris, and depredationis, committit be diverse wickit and Proclamation to be reddy to pas with the Erle of Athole.

mischevious personis upoun the trew and faythfull subjectis, inhabitantis of Atholl and boundis adjacent thairto, quhilkis intendis to lay the samyn cuntre and boundis all waist and desolat, to evert sa far as in thame lyis the haill stait of this commoun weill, gif thair mischevious attemptattis be nocht repressit: Thairfoir ordanis lettres to be direct to officiaris of armes, Shereffis in that part, chargeing thame to pas to the marcat croces of the burrowis of Perth and Forfar, and utheris places neidfull, and thair be oppin proclamatioun in thair Hienessis name and autoritie, command and charge all and sindry thair Majesteis liegis betuix sextie and sextene yeris, and utheris fensabill personis, alsweill dwelland to burgh as to land, within Regalitie as Rialte, within the boundis of the Sherefdomes of Perth and Forfar, Stewartreis of Stratherne and Menteith,—that thai and ilkane of thame, weill boddin in feir of weir, prepair thameselffis and mak thame in reddines as thai sall ressave advertisement and commandment be thair traist cousing and counsalour Johnne Erle of Atholl, Lord of Balvany, Lieutenent of the north partis of this realme, with viii dayis victualis and provisioun, upoun twa dayis warning, to meit the said Erle at sic part and place as he sall appoint to thame; and frathyne to pas furthwart for defence, or invasioun of the saidis wickit personis and rebellis, according to the commandiment and directioun of the said Lieutenent, under the pane of tinsall of lyff, landis, and gudis.

Apud Edinburgh, xxvii die mensis Octobris, anno Domini millesimo quingentesimo sexagesimo quinto.

Sederunt. Jacobus Comes de Mortoun, Cancellarius. Georgius Comes de Huntlie. Jacobus Comes de Bothwell. Joannes Comes de Athole. Patricius Dominus Ruthven. Joannes Maxwell de Terreglis, Miles. Secretarius. Thesaurarius. Clericus Registri. Magister Jacobus Balfour, Rector de Flysk. Symon Prestoun, Prepositus de Edinburgh. Magister Joannes Leslie, Rector de Une.

Cesfurde. Pharnihirst. Hunthill.

The quhilk day, anent the contraversie standand betuix Sir Waltir Ker of Cesfurd Knycht, wardane of the Middill Marchis of this realme, on the ane part; and Sir Thomas Ker of Pharnyhirst Knycht, and Johnne Rutherfurd of Hunthill, on the uther part; tuicheing the releif of the said Wardane, and of Thomas Ker and James Hoppringill, his servandis, presentlie liand in Ingland, deliverit for the billis of Newtoun Ailname and Johnne Scottis bill of Vowlar. The complaint of the said Sir Waltir being hard and considderit, togidder with the act and ordinance maid in counsall upoun the xxi day of September last bipast, proportand that strait charge and command wes gevin to the saidis Sir Thomas and Johnne Rutherfurde, that thai and ilkane of thame sould entir ane of thair men contenit in the saidis billis to the said Wardane for his releif of the saidis billis of Newtoun and Johnne Scottis bill; and als that ather of thame sould haif ane of thair men reddie to be deliverit at the day of trew to

haif bene haldin upoun the xxvii day of the said moneth of September for the said bill of Ailname, in caise the said Wardane wer preissit be the opposit Wardane to mak deliverie thairfoir, as the act maid thairupoun beris. And the allegationis and excusationis of the saidis Sir Thomas and Johnne Rutherfurd being alswa hard and considderit, the King and Quenis Majesteis ordanis and expreslie commandis the saidis Sir Thomas Ker and Johnne Rutherfurd personalie present, yit as of befoir, that ather of thame deliver twa of thair men, contenit in the saidis billis of Ingland, to the said Wardane, upoun Settirday, the thrid day of November nix to cum, to the effect that he may entir thame to Ingland for releif of him and of his servandis foirsaidis liand thairin, or ellis to entir thame selffis the said day; and becaus thair Majesteis doubtis of the reddie accomplischement and fulfilling of the premissis upoun the day abonewrittin, in respect of the delay usit be the saidis Sir Thomas and Johnne this tyme bipast, thair Hienessis ordanis thame to find sufficient and responsall souerteis, burgessis of Edinburgh, or inlandis men landit, for payment of the said bill, principall, dowbill and sapheir, in caise thai failye to deliver the saidis men at the day foirsaid, or to entir thame selffis as said is; and instantlie command wes gevin to thame be the maser of Counsall at the King and Quenis Majesteis command, to remane, and on na wayis depart furth of the burgh of Edinburgh quhill the said cautioun were fundin, undir the pane of tressoun.

Apud Edinburgh, xxviii die mensis Octobris, anno Domini millesimo quingentesimo sexagesimo quinto.

Sederunt. Jacobus Comes de Mortoun, Cancellarius. Georgius Comes de Huntlie. Patricius Dominus Ruthven. Secretarius. Thesaurarius. Clericus Registri. Clericus Justiciarie. Advocatus. Magister Joannes Leslie, Rector de Une.

Erle of Atholl. Lord Ogilvy.

The quhilk day, Johnne Banerman, in name of Johnne Erle of Atholl, protestit for the dait and sa mekill mair of the charter of the baillierie of the Abbay of Cowpar, producit be James Lord Ogilvy, as concernit the said Erle of Atholl.

The quhilk day, James Lord Ogilvy tuke instrumentis of his productioun of his charter and sesing of the said office of baillierie, and that he wes reddie to produce forder; and thairfoir protestit that the terme sould be circumducit.

Apud Edinburgh, vigesimo nono die mensis Octobris, anno Domini millesimo quingentesimo sexagesimo quinto.

Sederunt. Joannes [Jacobus] Comes de Mortoun, Cancellarius. Georgius Comes de Huntlie. David Comes de Craufurd. Patricius Dominus Ruthven. Secretarius. Thesaurarius. Computorum

Rotulator. Clericus Registri. Clericus Justiciarie. Advocatus. Magister Jacobus Balfour, Rector de Flysk. Joannes Commendatarius de Lundoris. Symon Prestoun de Eodem, Prepositus de Edinburgh.

The Erl of Craufurde gaif his aith.

The quhilk day, David Erle of Craufurd being electit be the King and Quenis Majesteis in ane of the Lordis of thair Secreit Counsall, gaif his aith as use is.

Charge on the Erl of Ergile and Lord Boyd.

Forsamekill as oure Soveranis Lord and Ladiis lettres direct chargeing Archibald Erle of Ergyle and Robert Lord Boyd to haif comperit personalie befoir thair Majesteis at certane of dayis of lang tyme bigane, to haif answerit to sic thingis as sould be laid to thair charge, lyke as at mair lenth is contenit in the chargeis direct to that effect; and albeit the saidis Erle and Lord hes bene serchit and socht, yit can nocht the said charge be dewlie execut, becaus thair is nocht suir passage to the said Erlis presence and dwelling places, nor yit is the dwelling place of the said Lord certane; and thairfoir the King and Quenis Majesteis, with the avyise of the Lordis of thair Secreit Counsall, ordanis lettres to be direct to officiaris of armes, Sheriffis in that part, chargeing thame to pas to the marcat croces of the burrowis of Striviling, Dunbartane, Air, and utheris places neidfull, and thair be oppin proclamatioun in thair Majesteis name and autoritie, command and charge the said Erle of Ergile and Robert Lord Boyd, to compeir personalie befoir the King and Quenis Majesteis and Lordis of thair Secreit Counsall, upoun the sext day nixt eftir thai be chargeit thairto, undir the pane of rebellioun and putting of thame to the horne, to answer to sic thingis as sal be laid to thair charge; and gif thai failye thairin, the saidis sex dayis being bipast, to denunce thame rebellis, and put thame to the horne, and to escheit, etc.

Protestatioun be the Advocat aganis Gilbert Lauder.

The quhilk day, anent the supplicatioun presentit be Williame Lawder, sone and apperand air to Gilbert Lawder of Bawardeis, and Sir Thomas Ker of Pharnyhirst Knycht, Johnne Halden of that Ilk, David Sinclair of Blanse, and Thomas Ramsay of Wyliecleuch—his curatouris for thair interesse—makand mentioun that quhair the said Williames fadir foirsaid, for the luif he buir to him, and als in effect for eschewing of ane actioun of violent occupatioun of the landis of Quhitslaid, menit to be intentit aganis him be Williame Lawder of Haltoun, maid and constitute the said Williame Lawder complenar, his verray lauchfull, undoutit, and irrevocabill cessionar and assignay, in and to his assedationis, gudis, geir, scheip, nolt, hors, meris, cattell, and cornis, alsweill to thame sawin upoun his landis and takkis as standand in stakkis, in speciall and generall, as at mair lenth is contenit in his said assignatioun maid to him in forme of instrument, undir the signe and subscriptioun of Andro Drummond, notar, thairupoun, of the dait the sext day of Junii, the yeir of God j^{m}v^{c}lxv yeris; and according thairto, the said Williame, complenar foirsaid, be

him self, his saidis curatouris and utheris in his name, maid intimatioun of his said assignatioun to the said Williame Lawder of Haltoun and the utheris ourelordis of the saidis takkis, and thairby become in actuall and reall possessioun of the landis and tour of Quhitslaid, with the pertinentis, and als of all uther landis contenit thairintill, togidder with reall apprehensioun of possessioun of the saidis cornis, cattell, and gudis be delivering to the said William Lawder, complenar thairof, be his said fadir; and feing of the hudis thaireftir in his name to the effect to laubour the saidis stedingis, and use the saidis gudis to his behuif and proffeit, nocht the les as he is informit Williame Hume, sone to the Lard of Coldenknowis, hes obtenit the gift of the said Williame Lawderis faderis escheit, throw his allegeit being denunceit rebell and put to the horne, in defalt of finding of souertie to undirly the law for the art and part of the slauchtir of umquhile George Wedderat, burges of Lawder; and undir cullour of the said gift intendis to intromet with the saidis gudis pertening to the said Williame Lawder be ressoun foirsaid; and for apprehensioun thairof, to gaddir the said Georgis freindis and mak convocatioun, and swa perforce to reif the said Williame, complenar foirsaid; for resisting of the quhilk the said Williame mon warne his freindis, and desyir thame to concur and assist with him in defence of guid and just actioun, quhilk gif he procedis of convocatioun will nocht faill to gennir inconvenientis without the samyn be dischargeit, lyke as at mair lenth is contenit in the said supplicatioun. Quhilk beand red in presens of the saidis Lordis, comperit Maistir Robert Creichtoun, and persaving that the said assignatioun wes manifestlie maid in defraud of the said Gilbertis creditouris and executioun of decretis aganis him, and thairfoir acceptit the said bill sa far as the samyn maid for our Soveranis Lord and Lady, or quhatsumevir partie prejugit and hinderit thairby, and protestit for the copy of the said supplicatioun.

Apud Edinburgh, penultimo Octobris, anno, etc. lxv.

Cautioun for Robert Colvile of Cleische.

The quhilk day, Sir Williame Scot of Balwery Knycht, and Johnne Lyndesay of Dowhill, band and obleist thame, conjunctlie and severalie, as cautionaris and souerteis for Robert Colvile of Cleische, that the said Robert sall in all tyme cuming abyde and remane ane trew, faythfull, and obedient subject to the King and Quenis Majesteis and thair autoritie, and on na wayis sall assist, tak part, haif to do with ony thair Majesteis rebellis, ennemeis, or quhatsumevir utheris that sal happin to resist and be aganis thair autorite, undir the pane of fyve thowsand markis. Sic subscribitur Johnne Lyndesay of Dowhill.

Apud Edinburgh, ultimo Octobris, anno, etc. lxv.

Caution for Thom Scot of Abbatishall.

The quhilk day, Williame Murray of Tullibardin Knycht, Comptrollar to our Soverane Lady, become souirtie for Thomas Scott of Abbatishall that the said Thomas sall compeir personallie befoir hir Majestie and Lordis of

hir Hienes Secrete Counsell, at Edinburgh or quhair it sal happin thame to be for the tyme, upoun the fyftene day of November nix to cum, to undirly sic ordour and directioun as it sall pleis hir Majestie to tak with the said Thomas and remanent gentilmen of Fiffe, presentlie wardit in under the pane of ii^{m} lĭ. In respect of quhilk souertie fund, thair Hienes relevis the said Thomas of his present ward, and gevis and grantis him libertie to depart haim to his dwelling place at his plesour.

Apud Edinburgh, primo die mensis Novembris, anno Domini millesimo quingentesimo sexagesimo quinto.

Sederunt. Georgius Comes de Huntly. Joannes Maxwell de Terreglis, Miles. Alexander Episcopus Candide Case. Secretarius. Thesaurarius. Computorum Rotulator. Clericus Justiciarie. Clericus Registri. Magister Jacobus Balfour, Rector de Flysk. Joannes Commendatarius de Lundoris. Symon Prestoun de Eodem, Prepositus de Edinburgh.

Cautioun for Anstruther.

The quhilk day, Johnne Anstruther of that Ilk become souertie for Andro Richardsoun, Thomas Mylne, Andro Reid, and Andro Smyth, indwellaris of Anstruder, that thai sall compeir befoir the King and Quenis Majesteis and Lordis of thair Secreit Counsall, at quhat tyme thai salbe commandit, upoun sex dayis warning, to answer to sic thingis as salbe laid to thair charge, ilk persoun undir the pane of ane hundrith pundis; and ilk ane of the saidis personis for thame selffis, and als the said Andro Richardsoun, Thomas Mylne, and Andro Reid, obleist thame as souerteis for the said Andro Smyth, to releif the said Johnne Anstrudir of this present act, and of all danger that he may incur thairthrow.

Apud Edinburgh, tertio die mensis Novembris, anno, etc. lxv.

Sederunt. Georgius Comes de Huntlie. Joannes Maxwell de Terreglis, Miles. Alexander Episcopus Candide Case. Computorum Rotulator. Thesaurarius. Magister Jacobus Balfour, Rector de Flysk.

Proclamation to pas on Ergile.

The quhilk day, forasmekill as the King and Quenis Majestie persaving the indurat rebellioun of Archibald Erle of Ergyle, and that he, his kin, freindis, partakaris, and tennentis, inhabitantis of Ergyle, Lorne, and Braidalbane having schakin of all dew obedience, and without all feir of God and of thair Majesteis as thair wer na law nor autorite abone thair hedis, wickitlie and crewellie makis herschippis, incursionis, and depredationis in the Lawlandis and utheris adjacent thairto, slayis and murtheris the inhabitantis thairof, rasis fyre and maistirfullie reiffis, and takis away thair cattell and gudis, mynding to lay the saidis cuntreis, sa far as in thame lyis, waist and desolat; quhairfoir it is nocht onelie maist neidfull and requisit that thair creweltie and attemptattis be stoutlie resistit be the faythfull and trew subjectis, bot alswa that victuallis and all uther pro-

visioun quhairwith thai may be in ony sort aydit, confortit, or helpit be cut and haldin away fra thame. Thairfoir the King and Quenis Majesteis ordanis lettres to be direct to officiaris of armes, Shereffis in that part, chargeing thame to pas to the marcat croces of the burrowis of Perth, Striviling, Dunbartane, Glasgow, Renfrew, Irrwin, Air, and utheris places neidfull, and thair be oppin proclamatioun in thair Majesteis name and autoritie, command and charge all and sindry thair Majesteis liegis, that nane of thame tak upoun hand to send or carie victualis or armour within the boundis abonewrittin, quhair the saidis rebellious and wickit personis dwellis and resortis, undir the pane of deid; with certificatioun to thame gif ony beis apprehendit, careand victuallis or doand in the contrair heirof, thai salbe demanyt to the deid, and the personis, takaris and apprehendaris of thame, salbe honestlie and sufficientlie rewardit, as efferis.

Apud Edinburgh, quinto die mensis Novembris, anno Domini millesimo quingentesimo sexagesimo quinto.

Sederunt. Jacobus Comes de Mortoun, Cancellarius. Georgius Comes de Huntlie. Jacobus Comes de Bothwell. Thesaurarius. Computorum Rotulator. Clericus Registri. Clericus Justiciarie. Joannes Maxwell de Terreglis, Miles. Alexander Episcopus Candide Case. Secretarius. Advocatus. Magister Jacobus Balfour, Rector de Flysk. Symon Prestoun de Eodem, Prepositus de Edinburgh.

Bischop of Galloway, Tullibardin, and Cragmillar ressavit on the Counsell.

The quhilk day, Alexander Bischop of Galloway, Sir Williame Murray of Tullibardin Knycht comptrollar to our Soveranis Lord and Lady, and Symon Prestoun of that Ilk Knycht Provest of Edinburgh, being electit be the King and Quenis Majesteis in Lordis of thair Secreit Counsall, maid thair aithis as use is.

Counsell anent the granting of ane saulf conduct to Inglis Ambassatouris.

The quhilk day, the Quenis Majestie having ressavit a lettre from hir guid sistir the Quene of Ingland, and with that had sum conference with Maistir Randolph upoun sic thingis as he had in instructioun, tending to the pacificatioun of all elestis and contraversiis standing betuix thair Majesteis, quhairby the Kingis Hienis, hir Graces husband, may in tyme cuming be recognoscit, and all thingis tending to the weilfair and tranquillitie of bayth the realmis composit and takin up: In fyne, the said Maister Randolphe requirit to haif ane sauf conduct generall subscrivit onelie be the Quenis Majestie to sum personages of guid trust and qualitie, sic as it sould pleis the Quene, his maistres, to nominat to cum in this realme to treit upoun the abone nemmit materis. Quhairunto the Quenis Majestie wald mak na answer, quhill first hir Majestie had oppynnit and expremit the caise to the Counsall; and thai having at greit lenth and with guid deliberatioun considderit the mater, and ressonit bayth the partiis quhat commoditie or incommoditie heirupoun may follow: for thair opinioun declaris that thai think the said sauf conduct may weill aneuch be grantit in forme and to the effect abonespecifiit, without

prejudice to the Quenis Majestie, dishonour to the Kingis Hienes, hir Graces husband, or hurt or incommoditie of this realme and commoun weill thairof, bot rather a greit commoditie to bayth thair Majesteis.

Apud Edinburgh, sexto Novembris, anno, etc. lxv.

Sederunt. Domini ut in die predicto.

Leslie. Balfour.

Anent the charge gevin be vertew and at command of our Soveranis Lord and Ladiis lettres to Robert Leslie of Arthourseir Capitane of the Castell of Sanctandrois, and Maistir Thomas Balfour President of the citie of Sanctandrois, to haif comperit personalie befoir thair Majesteis upoun the first day of November instant, to haif sene tryall and cognitioun tane anent the occasioun of the said Maistir Thomas taking and impresoning, as efferis, with certificatioun to thame and thai failyeit, the said day being bipast, thay sould be denuncit oure saidis Soveranis rebellis, and put to the horne, lyke as at mair lenth is contenit in the lettres direct thairupoun; quhilkis being callit upoun the said first day of November, comperit personalie the said Maistir Thomas, and the said Robert being oft tymes callit comperit nocht, bot send his excusatioun requirand the said mater to be continewit quhill Twysday this instant sext day of November; according to quahais desyir the Lordis of Secreit Counsall continewit the samyn mater, and commandit the said Maistir Thomas to remane in the menetyme. Upoun the quhilk sext day comperit personalie, as of befoir, the said Maistir Thomas, and the said Robert oftymes callit and nocht comperand, the Lordis of Secreit Counsall ordanis lettres to be direct to denunce the said Robert Leslie our saidis Soveranis rebell, and put him to the horne, and escheit and inbring all thair movabill gudis to thair use for his contemptioun, becaus he wes chargeit heirto of befoir undir the said pane of rebellioun, with certificatioun, as said is, and dissobeyit. And als to command and charge the said Robert to content and pay to the said Maistir Thomas the soum of four pundis v s., as for his expenssis—modifiit be the saidis Lordis—awayting in Edinburgh upoun the calling and decisioun of the said mater in the said Robertis defalt be the space of sevin dayis, within xxiiii houris nixt eftir he be chargeit thairto, undir the said pane of rebellioun and putting of him to the horne; and gif he failyeis in payment thairof, the saidis xxiiii houris being bipast, to put him to the horne.

Apud Edinburgh, septimo Novembris, anno Domini $j^{m}v^{c}lxv$.

Sederunt. Jacobus Comes de Mortoun, Cancellarius. Georgius Comes de Huntlie. Jacobus Comes de Bothwell. Episcopus de Galloway. Secretarius. Thesaurarius. Computorum Rotulator. Clericus Registri. Advocatus. Magister Jacobus Balfour, Rector de Flysk. Symon Prestoun de Eodem, Prepositus de Edinburgh.

Charge on Lochlevin.

The King and Quenis Majesteis ordanis ane herauld or uther officiar of armes to pas, and, in thair Hienessis name and autoritie, command and

charge Margaret Erskin, Lady Lochlevin, Williame Dowglass of Lochlevin, Robert Dowglass, his sone and apperand air, and the said Williame his fadir as lauchfull tutour, administrator, gydar and governour to him and all utheris his tutouris and curatouris, gif he ony hes, for thair interesse, and all utheris, keparis, havaris and withhaldaris of the castell and forteresse of Lochlevin, to randir and deliver the samyn to the officiar, executoure heirof and remove thame selffis, thair servandis and gudis furth of the samyn within sex houris nixt efter thai be chargeit thairto, undir the pane of tressoun; with certificatioun to thame and thai failye, thay salbe reput, haldin and estemit as tratouris, and the proces of forfaltour salbe led aganis thame, conforme to the lawis of this realme and Actis of Parliament.

Lady Edmonstoun hir sone.

The quhilk day, anent the complaint maid be Ewfame Wauchop relict of umquhile Johnne Edmestoun of that Ilk, that quhair schö hes the half landis of Natoun, with the pertinentis liand within the regalite of Mussillburghschyre, pertening to hir in conjunct fe, as hir infeftment thairof beris at the leist in assedatioun; and continewalie sen the deceise of hir said umquhile spous schö hes occupiit, broukit, and josit the foirsaid half landis with the pertinentis, and hes bene in possessioun thairof peciabillie unto the first day of November instant; upon the quhilk day James Edmestoun, secund sone to the said Ewfame, with his complices, violentlie and perforce enterit within the hous of hir said half landis, and sittis thairintill; hes put away hir servandis and threschis out hir cornis and disponis upoun hir gudis at his plesour, taking na feir of our Soveranis Lord and Ladiis autoritie, being within thre mylis to thair Majesteis presence, tending to possess the said Ewfames landis foirsaidis, dispone and put away hir gudis, quhairwith sould sustene the remanent of hir barnis nocht put to proffeit as yit, to the nowmer of four dochteris and ane sone. And anent the charge gevin to the said James Edmestoun as principall, and to David Boswell and Alexander Forester as complices to him quhais names wer gevin in bill, to have comperit befoir oure saidis Soveranis and Lordis of thair Secreit Counsall this day, to answer to the said complaint, undir the pane of rebellioun and putting of thame to the horne, with certificatioun to thame and thai failyeit, lettres sould be direct to put thame to the horne lyke as at mair lenth is contenit in the said complaint, ordinance of the saidis Lordis maid thairupoun and executioun thairof. The said Ewfame Wauchop comperand be Waltir Ker of Dolphingstoun, and the said James and his complices abonewrittin beand oftymes callit not comperand, the Lordis of Secreit Counsall ordanis lettres to be direct to officiaris of armes, Shereffis in that part, chargeing thame to pas, and in oure soveranis name and autorite command and charge the said James Edmestoun as principall, David Boswell and Alexander Forester as complices to him, to compeir personalie befoir the King and Quenis Majesteis and Lordis of thair Secreit Counsall foirsaidis, at Edinburgh or quhair it sal happin thame to be for the tyme, within xxiiii houris nixt eftir thai be chargeit thairto, to

answer to the said complaint, undir the said pane of rebellioun and putting of thame to the horne; and gif thai failye thairin, the saidis xxiiii houris being bipast, to denunce thame rebellis and put thame to the horne, and to escheit, etc.; becaus thai wer chargeit heirto of befoir undir the said pane of rebellioun, with certificatioun as said is, and dissobeyit.

Pharnyhirst his moder.

The quhilk day, anent the complaint maid be Dame Kathrein Ker, lady Pharnyhirst, makand mentioun, that quhair lettres wer direct for considderationis moving the King and Quenis Majesteis, to Gawin Ramsay messinger, to collect and gaddir the teind schaves of hir conjunct fe landis of Ovir Craling, and place the samyn within the berne yaird, being upoun the ground of hir landis foirsaidis, arreist the samyn, to remane undir arreistment, unintromettit with be hir or Sir Thomas Ker of Pharnyhirst Knycht, hir sone, quhill ordour wer takin be oure saidis soveranis Lord and Ladie, and Lordis of thair Secreit Counsall thairanent, as the lettres direct thairupoun mair fullelie proportis. And trew it is, and of veritie, that eftir lang ressoning maid betuix the said Dame Kathrene and the said Sir Thomas, hir sone, in the moneth of December last bipast, in presens of thair Majesteis, and the saidis Lordis than fand that the said Dame Kathrene had undoubtit rycht and tak thairof, as schö hes yit induring hir liftyme, at the quhilk tyme scho than, at thair Hienessis and Lordships desyir and requeist, band and obleist hir self, in thair Graces presence, nocht to mak ony rycht or assignatioun thairof to ony persoun or personis, by the said Sir Thomas. In considderatioun quhairof, our saidis Soveranis and the saidis Lordis than lowsit the said arreistment, lyke as thair Lordships aucht and sould do semlabillie this instant crope and yeir, the said Dame Kathrene havand the rycht thairof as said is; and swa now on na wayis sould be debarrit fra intromissioun thairwith and uptaking thairof. Bot nevirtheles schö is debarrit thairfra be making of the said arreistment, to hir greit hurt and skayth, and expres aganis justice. And anent the charge gevin to the said Sir Thomas to compeir befoir our saidis Soveranis and Lordis of thair Secreit Counsall at ane certane day bigane, to answer to the said complaint, the said Dame Kathrene comperand be Andro Ker, hir sone, and the said Sir Thomas comperand personalie, thair rychtis, ressonis, and allegationis, being hard, sene, and undirstand to the saidis Lordis of Secreit Counsall, and thai ryplie avysit thairwith; the Lordis of Secreit Counsall ordanis lettres to be direct to officiaris of armes, Shereffis in that part, chargeing thame to pas and lowse the said arreistment maid upoun the saidis teind schaves this instant yeir, swa that the said Dame Kathrene may intromet thairwith, use and dispone the samyn at hir plesour, schö findand sufficient cautioun and souertie that the samyn sal be furthcumand to the said Sir Thomas in caise he haif ony rycht or interes thairto as law will; and howoft ony sic arreistmentis beis maid upoun the saidis teind schaves, that the saidis officiaris sa oft lowse the samyn, cautioun being anis fundin as said is.

Anent the supplicatioun presentit be Thomas Ker of Pharnyhirst Knycht, and Johnne Rutherfurde of Hunthill, desyrand the Act and ordinance maid in counsall, upoun the xxvii day of October last bipast, to be mitigat, twicheing the entres of thair men for the billis of Newtoun Ailname and Johnne Scottis bill, of Vowlar; the King and Quenis Majesteis, with avyise of thair Secreit Counsall, permittit the said Johnne Rutherfurd to pas hame in Teviotdall, for making of diligence anent the releif of Sir Waltir Ker of Cesfurd Knycht, Wardane of the Middill Marchis of this realme, and his servandis liand in Ingland, for the saidis billis, for the space of aucht dayis eftir the dait heirof; and in presence of the Counsall command and charge wes gevin be Williame Bryssoun, maser thairof, to the said Sir Thomas to pas and entir his persoun in ward, within the castell of Edinburgh, within sex houris, undir the pane of tressoun, thair to remane upoun his awin expenssis as plege and souertie for him self and the said Johnne Rutherfurd, unto the tyme it mycht be knawin quhethir the Wardane beis relevit and his servandis put to libertie within the said space of viii dayis or nocht; and gif the said Wardanis servandis beis nocht put to libertie, thair chargeis and expenssis payit, and he relevit of the saidis billis within the said space of viii dayis, the said Johnne Rutherfurd sall entir himself agane befoir the King and Quenis Majesteis and thair Counsall at the end of the saidis aucht dayis; in quhilk caise the King and Quenis Majesteis and Lordis of thair said Secreit Counsall hes concludit, decernit, and ordanit that the saidis Sir Thomas Ker and Johnne Rutherfurd sall incontinent thaireftir be deliverit to Ingland for releif of the said Wardane and his servandis foirsaidis. Pharnyhirst. Hunthill.

Apud Edinburgh, octavo die mensis Novembris, anno Domini millesimo quingentesimo sexagesimo quinto.

Sederunt. Domini ut in die predicto.

The quhilk day, forsamekill as it hes plesit the King and Quenis Majesteis to burdin Sir Johnne Maxwell of Terreglis Knycht, with the charge and office of wardanerie of the West Marchis of this realme foranent Ingland, quhilk at thair Hienessis plesour and commandiment he willinglie and obedientlie acceptit, and thair withall proponit to thair Majesteis the hedis and articles following, quhilkis thair Hienessis, with advyise of thair Counsall, finding honest and aggreing with ressoun, glaidlie condiscendit unto as followis: Articles grantit to the Mr. Maxwell.

Item, in caise ony persoun or personis, privatlie or oppinlie, sall heireftir mak report to thair Majesteis of the said Sir Johnne, accusand and delatand him of ony maner of offence committit towart thair Hienessis, or wrang and injustice usit be him in the executioun of his office of ward-

anerie or utherwyise, thair Majesteis sall require the spekar and delatar to gif his complaint or narratioun in writt, and sall suspend all geving of traist and credeit thairunto quhill the said Johnne be warnit to answer to the samyn and he hard as accordis of ressoun, with this conditioun, that gif eftir triall the report sal be fund of veritie, extreme punisement to follow according to the falt; quhairwith in his offer he is contentit.

Item, becaus the cuntre is presentlie sumquhat brokin be the occasioun of the unquiet tyme bigane, thair Majesteis hes grantit and condiscendit to send fourtie or fiftie men of weir to the West Bordour for helping to pacifie the cuntre and withstanding of Ingland, in caise it sal happin the samyn to invaid, and that the said nowmer sall ayther be diminyschit or augmentit, as the tyme and occasioun sall require, according as weir or peace fallis and occurris betuix thair Majesteis and the realme of Ingland.

Item, becaus thair Majesteis perfytelie undirstandis that the said Sir Johnne, duriug the tyme that he hes broukit and exerceit the said office of Wardanerie, throw the executioun of justice and punisement of male-factouris, is undir the deidlie feid of all the principall clannis and brokin men of the said West Marche; and yit at command of our saidis Soveranis hes acceptit the cuyr and burding of the said office; thair Majesteis, willing to gif him occasioun bauldlie to set furthwart thair autoritie and service without all feir or respect of the saidis deidlie feidis, will and grantis, and in the fayth and word of Princes faythfullie promittis, that gif it sal happin the said Sir Johnne, during the tyme of his commissioun and using of the said office of Wardanerie, to be slane, inlak, or deceise, that his wyff and eldest sone sal haif the ward of all his landis and heretabill possessionis, quhilkis be his deceise sal happin to fall in thair Majesteis or thair succes-souris handis, togidder with the mariage of his sone and air for the tyme, and failyeing of him be deceise unmareit, the mariage of ony uther air or airis, maill or famell, that sal happin to succeid to the said Sir Johnne in his landis and heretagis, with all profeittis of the said mariage. And now as than and than as now, frelie gevis, grantis, and disponis the samyn ward and mariage to the said Sir Johnnes wyff and eldest sonnis foirsaidis, to be frelie usit, broukit, and possessit be thame be vertew of this present act and ordinance, siclike and als lauchfullie in all respectis as the airis of quhatsumevir frehaldaris slane at the Feild of Pynkie, broukit and enjoyit thair wardis and mariagis, be ressoun of the Act maid at Monktounhall schortlie preceding the said Feild; and that ane gift be extendit, undir the Previe Seill, to this effect, in dew forme as efferis.[1]

[1] Acts of Parliament, 8th September 1547—"Apud Monktounhall," viz.:

"Act in favouris of the airis of personis that happynnis to be slane in the armie, tuiching their ward, nonentries, releif, and marriage."

"Ac anentis the possessounis of the saidis persounis."—Act. Parl. Scot., ii. 599.

Apud Edinburgh, xiii die mensis Novembris, anno Domini millesimo quingentesimo sexagesimo quinto.

Sederunt. Jacobus Comes de Mortoun, Cancellarius. Georgius Comes de Huntlie. Joannes Comes de Mar. Alexander Episcopus Candide Case. Secretarius. Thesaurarius. Computorum Rotulator. Clericus Registri. Clericus Justiciarie. Advocatus. Magister Jacobus Balfour, Rector de Flysk. Robertus Carnegy de Kynnard, Miles.

Hector. Balfour.

The quhilk day, anent the complaint maid be James Hector, maistir gunnar in the Castell of Dunbar, makand mentioun that quhair it is notour how his umquhile fadir servit the Quenis Majesteis fadir, of worthie memorie, unto his lyvis end; and the said James Hector alswa, sen he wes ane man, hes trewlie servit umquhile hir Majesteis deirest modir, lyke as he hes done hir Hienes evir sen hir Graces arryvall in this realme; and hir Majestie havand considderatioun of the said James lang continewall service, reddie will and guid mynd to continew thairin, wes willing to haif gevin to him sum memor of reward that he mycht be mair abill to serve in tyme cuming; and eftir hir Majesteis arryvall hir Hienes grantit and gaif to him hir gift, makand him Maistir Gunnar within the said castell, and gaif to him the office thairof for his liftyme as wes usit be his said umquhile fadir and him of befoir; and alswa thaireftir renewit the said gift and augmentit his ordinar wage, that he mycht be mair abill quhill he gat sum uther reward, as the lettres of gift maid to him thairupoun beris; and according thairto he hes usit and usis the said office, serving thairin lelelie and trewlie, and wes nevir absent quhair thair wer ony service to be done; and as towart his habilitie and experience in the said office or occupatioun, it is sufficientlie knawin. Nevirtheles, Harie Balfoure, eftir he had purchest ane gift of the Quenis Majestie, makand him ane of the gunnar ordinaris in the said castell, causit mak ane gift of new, makand him principall maistir gunnar in the said castell, and augmenting his ordinar wage and be moyen and laubour at the handis of the Erle of Murray for the tyme gevand him to undirstand that he socht na uther thing bot augmenting of his ordinar wage, be that way upoun sinister informatioun purchest that gift, makand him principal gunnar; and undir pretence thairof, now sekis superioritie, in hurt and prejudice of the said James, and formar gift grantit to him of the said office be hir Majestie eftir knawlege and considderatioun had of his habilitie and lang service, tending to troubill him in using thairof, aganis all ressoun and justice; and anent the charge gevin to the said Harie Balfour, to compeir befoir the King and Quenis Majesteis and Lordis of thair Secreit Counsall at ane certane day bigane, to answer to the said complaint, bayth the saidis partiis comperand personalie, thair rychtis, ressonis, and allegationis being hard, sene, and undirstand to the saidis Lordis of Secreit Counsall, and thai ryplie avysit thairwith; the Lordis of Secreit Counsall assoilyeis the said Harie Balfour fra the said James Hectouris complaint abone-

writtin, and findis the lettre of gift undir the Previe Seill maid to the said Harie Balfour makand him principall maistir of the ordinar and extra-ordinar gunnaris and utheris craftismen within the said castell to be maist sufficient; and thairfoir decernis and ordanis the samyn to haif strenth, place, force, and effect in tyme cuming, at the King and Quenis Majesteis will and plesour, eftir the forme and tennour of the samyn. Nevirtheles at desyir of the saidis Lordis, the said Harie wes contentit to use the said James alwayis as his nychtbour and cumpanyeoun in thair service, the said James na wayis preissand to na privilege of the said office of maistir gunnarschip, nor hinderand or makand molestatioun and impediment to the remanent ordinar gunnaris and utheris craftismen abonewrittin, to answer and obey the said Harie, as principall maistir to thame in the King and Quenis Majesteis service, conforme to his said gift.

Lochlevin. The quhilk day, forsamekill as the King and Quenis Majesteis charge wes direct to ane herauld or uther officiar of armes, commanding thame to pas and charge Margaret Erskin Lady Lochlevin; Williame Dowglas of Lochlevin; Robert Dowglas his sone and apperand air—and the said Williame, his fadir, as lauchfull tutour, administratour, gydar, and governour to him—and all utheris his tutouris and curatouris, gif he ony hes—for thair interes; and all utheris keparis, havaris, and withhaldaris of the castell and fortresse of Lochlevin; to randir and deliver the samyn to the officiar, executour of the same charge, and remove thame selffis, thair servandis and gudis furth of the same within sex houris nixt eftir the charge, undir the pane of tressoun, lyke as at mair lenth is contenit in the samyn charge, of the dait the vii day of November instant. Comperit Adame M^{c}Culloch, Marchemont herauld, and producit the said charge, dewlie execut be him upoun the ellevint day of the said moneth, and being inquirit upoun the said Williames answer, reportit that he wes extremelie seik, in perrell of his lyff, to the said Adames apperance, yit offerit he, with all humilitie, to obey the command of the said charge with all haist possibill to him; and to that effect desyrit the said Adame to remane with him quhill he and the Countes of Buchane, quha than wes travelland with chyld, mycht remove and cum furth of the said place. The King and Quenis Majesteis, undirstanding alsweill be the said herauldis report and declaratioun as be thair traist cousing and counsalour, Johne Erle of Mar Lord Erskin, the obedient mynd of the said Williame Dowglas towart the delivering of his said hous and place,—thairfoir, and in respect of his present infirmitie, and of the ernest sute of thair said traist counsalour, and of Maistir James Balfour persoun of Flysk, offerrand in the said Williames name cautioun to the effect undirwrittin, thair Majesteis acceptis and ressavis the said Williames answer as full and sufficient obedience of the said charge, and ar contentit that he, as of befoir, retene and keip in his awin handis and possessioun his said hous and place of Lochlevin, quhill thair Hienessis be forder avysit, without skayth, cryme,

or danger to be incurrit be him, his saidis modir and sone, or utheris quhatsumevir, for thair abyding and remaning within the said hous and place, sen the said charge wes execut aganis thame. Of the quhilk charge thair Majesteis, be thir presentis, dischargis thame simpliciter. And instantlie, the said Erle of Mar and Michaell Balfour of Burly, in name of the said Williame Dowglas, undirtake and promeist that Sir Williame Scot of Balwery Knycht, David Durie of that Ilk, David Barclay of Cullarny, the said Michaell Balfour of Burly, and Johnne Anstruther of that Ilk, sall cum to the burgh of Edinburgh, betuix and the xxii day of November instant, and thair become actit and obleist, conjunctlie and severalie, as cautionaris and souerteis for the said Williame Dowglas, that the said hous and place of Lochlevin salbe reddie and patent at thair Majesteis commandment, with all munitioun and artailyearie being within the samyn, quhilkis pertenit to James Erle of Murray, at quhatsumevir tyme thair Hienessis sall require the samyn, upoun xxiiii houris warning; and that nane of thair Majesteis rebellis, servandis, or messingeris salbe resset, suppleit, or intertenyt in the said place in the menetyme undir the pane of v^{m} markis.

Apud Edinburgh, xxi die mensis Novembris, anno Domini millesimo quingentesimo sexagesimo quinto.

Sederunt. Jacobus Comes de Mortoun. Joannes Comes de Atholl. Joannes Comes de Mar. Alexander Episcopus Candide Case. Secretarius. Thesaurarius. Clericus Registri. Clericus Justiciarie. Advocatus. Magister Jacobus Balfour, Rector de Flysk. Symon Prestoun, Edinburgi Prepositus.

Lochlevin.

The quhilk day, in presens of the Lordis of Secreit Counsall, comperit personalie David Dury of that Ilk, David Barclay of Cullerny, Michaell Balfour of Burly, Johnne Anstruther of that Ilk, and Maistir Alexander Sym, advocat, procuratour specialie constitute be Sir Williame Scot of Balwery Knycht, be his lettres of procuratorie undirwrittin; and thair band and obleist thame, conjunctlie and severalie, as cautionaris and souerties for Williame Dowglass of Lochlevin, that his hous and place of Lochlevin salbe reddie and patent at the King and Quenis Majesteis commandment, with all munitioun and artailyearie being within the samyn, quhilkis pertenit to James Erle of Murray, at quhatsumevir tyme thair Hienessis pleis require the samyn upoun xxiiii houris warning; and that nane of thair Majesteis rebellis, thair servandis or messingeris, salbe wittinglie resset or mantenit within the said hous and place aganis thair Majesteis or to thair displesour, undir the pane of fyve thowsand markis. And forder, the King and Quenis Majesteis declaris that nochtwithstanding the said souertie fundin, thair Majesteis pretendis na forder rycht to the said Lard of Lochlevynnis heritage of the said hous and place, or to the loch and fischeing thairof, or utheris his heretages nor thair Hienessis had of befoir the said souertie wes fund. Sic subscribitur, David Dury, fear

of that Ilk. Cullerny. Johnne Anstruther of that Ilk. Burlle. Followis the tennour of the said Lard of Balweris obligatioun and procuratorie :— Be it kend till all men be thir present lettres, me, Sir Williame Scot of Balwery Knycht, to be bundin and obleist, and be thir presentis bindis and obleissis me, as cautionaris and souerteis conjunctlie and severalie with David Dury of that Ilk, David Barclay of Cullerny, Michaell Balfour of Burly, and Johnne Anstruther of that Ilk,—for Williame Dowglas of Lochlevin, to the King and Quenis Majesteis, that the hous and place of Lochlevin salbe reddie and patent at thair Majesteis commandiment, with all munitioun and altailyearie being within the samyn, quhilkis pertènit to James Erle of Murray, at quhatsumevir tyme thair Hienessis sould pleis require the samyn, upoun xxiiii houris warning, and that nane of thair Majesteis rebellis, thair servandis or mesisngeris, salbe ressavit, suppleit, or intertenit in the said place in the menetyme, undir the pane of fyve thowsand markis. And this I obleis me to do as souertie and cautioun foirsaid, conjunctlie and severalie, with the saidis personis. And for mair securitie heirof, I am content, and consentis be thir presentis, that this my obligatioun be registrat and insert in the bukis of the Lordis of Secreit Counsall or Sessioun, and to haif the strenth of ane act and decreit of thairis, with executoriallis to pas thairupoun in forme as efferis ; and for acting and registering heirof makis, constitutis, and ordanis Maisteris Alexander Sym, and ilk ane of thame, conjunctlie and severalie, my verray lauchfull and undoutit procuratouris, to compeir befoir the saidis Lordis, or ony of thame, in my name, and grant to the registering heirof, and sall appreif and ratifie this my obligatioun in presens of the saidis Lordis quhen I am requirit of the samyn. In witnes of the quhilk thing I haif subscrivit this present obligatioun with my hand at Stranglow, the xviii day of November, the yeir of God $j^{m}v^{c}$ thre scoir fyve yeris, befoir thir witnessis, Maistir Thomas Lindesay and James Arnot, with utheris diverse. Sic subscribitur, Sir Williame Scot of Balwery.

The quhilk day, in presens of the Lordis of Secreit Counsall, comperit Maistir Alexander Sym, advocat, procuratour for Williame Dowglass of Lochlevin, be his lettres of procuratorie undirwrittin specialie constitute, and gaif in this band and obligatioun subscrivit with his hand, and desyrit the same to be registrat in the bukis of Secreit Counsall, and to haif the strenth of ane act and decreit of the King and Quenis Majesteis and Lordis thairof. Quhilk desyir the saidis Lordis thocht ressonabill, and thairfoir ordanit and ordanis the samyn obligatioun to be actit and registrat in the saidis bukis, and interponis thair auctoritie to the samyn. Of the quhilk obligatioun the tennour followis :—I, Williame Dowglas of Lochlevin, be the tennour heirof, bindis and obleissis me, my airis, executouris, and assignayis, to honorabill men,—viz., Michaell Balfour of Burly, David Berclay of Cullerny, Johnne Anstrudir of that Ilk, David Durie, fear of that Ilk, and Sir William Scot of Balwery Knycht,—that forsamekill as thai, and ilkane of thame, conjunctlie and severalie, ar becum cautionaris for me to

the King and Quenis Majesteis, that my hous salbe patent to thair Majesteis, with sic munitioun thairintill pertening to my Lord of Murray, within xxiiii houris warning, undir the pane of fyve thowsand markis, as ane Act of thair Majesteis Secreit Counsall maid thairupoun mair fullelie proportis; and thairfoir bindis and obleissis me, my airis and assignayis, in the maist stratest style of obligatioun that can be devysit, to freith, releif, and keip skaythies the saidis honorabill men of the said soum, be ressoun of the said Act, in all pointis, at all handis, quhome it efferis; and this present obligatioun to be maid and put in mair ampill forme, and strait style of obligatioun, gif neid beis. In witnes of the quhilk thing I haif subscrivit this present obligatioun with my hand, at Lochlevin, the xix day of November, the yeir of God $j^{m}v^{c}$ thre scoir fyve yeris, befoir thir witnessis, Adame Commendatare of Cambuskynneth, and Maistir Williame Hendirsoun, with utheris diverse; and that this be registrat in the same bukis quhair the saidis cautionaris beis bund, and to haif the strenth of the said Act, and makis Maistir Alexander Sym my procuratour to consent to the registratioun of the samyn. Sic subscribitur, Williame Dowglas of Lochlevin.

The quhilk day, Johnne Lord Erskin and Michaell Balfour of Burlie tuke actis and instrumentis, that the desire and command of the Act and ordinance maid in the Secreit Counsall, upoun the xiii day of November instant, contening that thai promeist and undirtuke—that the Lardis of Balwery, Dury, Cullerny, Burly, and Anstruther sould cum to the burgh of Edinburgh and becum actit and obleist, conjunctlie and severalie, as cautionaris for Williame Dowglas of Lochlevin, anent the reddines of his hous at the King and Quenis Majesteis commandiment and keping thairof, as at mair lenth is contenit in the said Act—wes realie obeyit and fulfillit in all pointis; and thairfoir protestit that thai wer fred and relevit of the said promeis, and of all band and obligatioun contenit in the samyn Act.

The quhilk day, anent the supplicatioun presentit be Robert Ker of Kerrisland, makand mentioun that quhair he is laitlie chargit be vertew and at command of the King and Quenis Majesteis lettres past undir thair Hienessis subscriptioun and signet, to compeir personalie befoir thair Majesteis and Lordis of thair Secreit Counsall upoun the sext day nixt eftir the charge, to answer to sic thingis as sould be laid to his charge, undir the pane of rebellioun and putting of him to the horne; and gif he failyeit thairin, the saidis sex dayis being bipast, to put him to the horne, and to escheit, etc., lyke as at mair lenth is contenit in the saidis lettres. And albeit he, as ane guid and obedient subject, come to the burgh of Edinburgh within the saidis sex dayis, and that the samyn sex dayis ar bipast, and that he hes awaytit upoun his calling continewalie sensyne, nevirtheles as yit he is nocht callit, bot constrenit to awayit thairupoun, to his havie dampnage and skayth. The saidis lettres being producit, dewlie execut and indorsat upoun the said Robert, and he being callit comperit personalie; Kerrisland.

the Lordis of Secreit Counsall, in respect of his comperance, findis the command of the saidis lettres realie and with effect obeyit be him, and thairfoir decernis and ordanis the samyn lettres to be put to na forder executioun upoun the said Robert, and suspendis the effect thairof, and horning contenit thairin to be led upoun him, simpliciter in all tyme cuming.

Contract touart the leid mynis.

The quhilk day, in presens of the Lordis of Secreit Counsall, comperit Maistir Robert Creichtoun of Elyok, advocat to oure Soveranis Lord and Lady, in thair Hienessis name, on the ane part, and the utheris personis eftirspecifiit, principallis and cautionaris, and gaif in this contract and appointment, subscrivit be oure saidis Soverannis, and als be the saidis personis principallis and souerteis, and desyrit the samyn to be actit and registrat in the bukis of Secreit Counsall, to haif the strenth of ane decreit of the Lordis thairof, and thair autoritie to be interponit thairto, with lettres and executoriallis, owther of horning or poinding, to be direct thairupoun, eftir the forme and tennour thairof; quhilk desyir the saidis Lordis thocht ressonabill, and thairfoir ordanis the said contract to be actit and registrat in the saidis bukis to haif the strenth of the saidis Lordis act and decreit, and interponis thair autoritie thairto, and that lettres and executoriallis pas thairupoun in maner foirsaid, of the quhilk contract the tennour followis:—At Edinburgh, the last day of October, the yeir of God $j^{m}v^{c}$ thre scoir fyve yeris, it is appointit, contractit, and finalie endit betuix the rycht excellent, rycht heich and illustir Princessis, Henrie and Marie, King and Quene of Scottis, on that ane part, and James Carmichaell, Maistir James Lindesay, and Andro Stevinsoun, burgessis of Edinburgh, on the uther part, as followis: that is to say, thair Majesteis hes gevin and grantit licence, and be the tennour heirof gevis and grantis licence to the saidis burgessis, thair partinaris, assignayis, factouris, and servandis, ane or ma, to win or caus be win fourty thowsand stane wecht, comptand sex scoir stanis for ilk hundir of leid ure—and mair gif the samyn may gudlie be win—out of ony ground within this realme, sauffand the werk and mynd of Glengonar and Wenlok, presentlie occupiit be Johnne Achesoun and Johnne Aslowane; and that for the space of ten yeris nixt eftir the dait heirof; and to transport and carie the samyn furth of this realme to the partis of Flanderis, or ony uther part quhair thai pleis, during the said space, provyding alwayis that the samyn be first weyit and markit be ane to be depute be thair Majesteis thairto. For the quhilk cause, the saidis personis obleissis thame and thair airis to pay to thair Majesteis,—thair Thesaurare now present, or being for the tyme, or to quhome thair Hienessis sall depute to that effect,—for everie thowsand stane wecht, trone wecht, transporting as said is of the said leid ure, fourty fyve unces fyne silver, in maner and at the termis following: That is to say, everie thre thowsand stane wecht, within thre monethis eftir the samyn be weyit and markit, and swa furth for ilk thre thowsand stane wecht during the said space of ten yeris; and gif thair be ony mair than the said fourtie thowsand stane wecht win be the saidis personis, thair partinaris, factouris, and servandis,

in ony ground within this realme, exceptand the werkis foirsaidis, within the saidis ten yeris, the saidis burgessis sall pay thairfoir the pryces and at the termis abonespecifiit; and gif ony of the said fourtie thowsand stane wecht of leid ure be untransportit at the ische of the saidis ten yeris it salbe lesum to the saidis contractaris and thair partinaris, factouris, assignayis, and servandis foirsaidis, to transport and carie the samyn furth of this realme ony tyme thaireftir, payand the dewtie thairfoir as said is. Attour, the saidis burgessis contractaris sall mak the expenssis of him that is to be depute be thair Majesteis to wey the said leid ure during the said space; and als Adame Allane, James Curll, Thomas Wans, Tymotheo Cogneoly, as cautionaris and souerteis for thame, conjunctlie and severalie, sal be actit in the bukis of Secreit Counsall for payment of the said fourtie fyve uncis of fyne silver, for ilk thowsand stane wecht, transporting of the said leid ure at the termis foirsaidis; and the saidis burgessis contractaris, ilk ane of thame for thair awin part, to releif the samyn. And for the mair securitie heirof the saidis burgessis contractaris and cautionaris foirsaidis ar content and consentis that thir presentis be actit and registrat in the saidis bukis of Secreit Counsall, and decernit to have the strenth and effect of the Lordis decreit thairof, and thair autoritie to be interponit thairto; with lettres and executoriallis, owther of horning or poinding, to be direct thairupoun aganis thame or ony of thame severalie for thair awin part, as said is, in forme as efferis. In witnes of the quhilk thing our saidis Soveranis Lord and Lady, the saidis contractaris, and souerteis foirsaidis, hes subscrivit this present contract with thair handis as followis, day, yeir, and place foirsaidis, befoir thir witnessis, Alexander Hay, Johnne Andro, and Williame Gordoun, with utheris diverse. Sic subscribitur Marie R. Henri R. James Carmichaell. Maistir James Lindesay. Andro Stevinsoun. Adame Allane. Thomas Wans. James Curll. Tymotheo Cogneoly.

For bringing of martis furth of Ergile.

The quhilk day, it wes proponit to the King and Quenis Majesteis and Lordis of Secreit Counsall, upoun the behalf of Allane Fischear, Thomas Fischear, and certane thair collegis, how laitlie, according to thair accustumat maner thay brocht certane ky furth of Ergyle to be sauld to thair Hienessis liegis in the Lawland, quhilkis ky ar takin frome thame be Patrik Houstoun of that Ilk and utheris, and intromettit with as the gudis of rebellis and ennemeis. The King and Quenis Majesteis, eftir considderatioun of the mater, with the avyise of the Lordis of thair Secreit Counsall, findis that the saidis ky nor na utheris gudis brocht furth of the partis of Ergyle be ony personis, thair guid and trew subjectis, to be sauld in the Lawland for furnessing and sustentatioun of the cuntre according to use and wount, can ony wyis pertene to thair Hienessis or ony utheris, be ressoun of escheit, provyding that the bringaris of the saidis Ergyle ky in the Lawland haif nor transport na victualis into Ergyle.

Apud Edinburgh, xviii die mensis Novembris, anno Domini millesimo quingentesimo sexagesimo quinto.

Proclamatioun touart the transporting of victualis.

Forsamekill as the King and Quenis Majesteis, persaving and havand consideratioun that the cornis this instant yeir, throw evill weddir in tyme of harvist, ar nocht sa weill win as neid wer, be the quhilk it apperis that thair sall nocht be sic fertilitie nor aboundance thairof as hes bene the yeris preceding, bot skairis aneuch to sustene this thair realme and liegis of the same. Nevirtheles diverse marchantis and utheris avariciouslie hes alreddie impetrat, and heireftir will nocht abstene to procure at thair Hienessis handis, licence to transport victuallis in greit quantitie furth of this realme to uther cuntreis, and thairby intendis nocht onelie to raise the pryces of victualis to ane exhorbitant and unressonabill derth, bot als to mak the samyn sa skant that thair Majesteis pover liegis sall allutirlie be frustrat and defraudit of thair sustentatioun, quhilk of ressoun thai aucht to be provydit of befoir ony strangearis; and thairfoir thair Majesteis hes suspendit, annullit, dischargit, and revokit all sic licencis gevin for transporting of victualis, to quhatsumevir persoun or personis in tymes begane. Thair Majesteis ordanis lettres to be direct to officiaris of armes, chargeing thame to pas to the marcat croces of thair Hienessis burrowis of Edinburgh, schoir and peir of Leith, Dunde, Montroise, Abirdene, and all utheris burrowis, portis, and places neidfull, and thair be oppin proclamatioun, mak publicatioun heirof, and in thair Majesteis name and autoritie command and charge all and sindry thair Hienessis liegis, of quhat estait, degre, or conditioun that evir thai be of, that nane of thame tak upoun hand to carie and transport furth of thair realme ony kynd of cornis or victualis; and als that na personis, maisteris, nor skipparis of schippis, liegis of thair realme, or strangearis, ressave within thair schippis, cariaris, or boittis, ony maner of cornis or victualis to be careit and transportit to quhatsumevir uther cuntreis, except sa mekill as may ressonabillie serve thame during thair viage for thair awin sustentatioun, undir the pane of deid and confiscatioun of the schips or veschell quhairin the said victuall sal happin to be apprehendit to thair Majesteis use.

Apud Edinburgh, secundo die mensis Novembris, anno Domini millesimo quingentesimo sexagesimo quinto.

Touart the monting of the artalliery.

Forsamekill as propositioun wes maid of befoir to the King and Quenis Majesteis how all the artailyearie of this realme pertening to thair Hienessis, and lying in everie place and strenth of the same, mycht be perfytlie montit, ordourit, and put in dowbill equippage, to serve alsweill in the places upoun the wallis thairof as to be careit to the feildis quhen it sal be necessar. Thair Majesteis commandit and ordanit George Erle of Huntly Lord Gordoun, etc., James Erle Bothwell Lord Halis and Creichtoun, etc., Sir Johnne Maxwell of Terreglis Knycht, and Symon Prestoun of that Ilk Provest of Edinburgh, to sycht the propositioun and articles presentit to thair Majesteis, and to tak ordour anent the samyn as appertenis.

Quhilkis nobill Lordis, having sene and consildderit the samyn, fand the thingis undirwrittin necessar to be done and had for perfyte monting and ordouring of the said artailyearie. In the first, that ane generall commissioun be maid to Johnne Cheisholme, comptrollar of the said artailyearie, to pas owir all places maist nerrest and adjacent to the fortressis and strenthis of this realme, with ordinar wrychtis and gunnaris, to the gentilmen quhome to woddis, orchardis, and yairdis dois appertene, that thair he may be sufferit to cut doun with discretioun sic tymmer as salbe fund necessar or fund expedient be him, sic as elme, esche, and aik for stokkis, quhelis, aikstreis, and lymmers.

Item, that the Thesaurare furneis to the said Johnne Cheisholme thre hundrith daillis, sevin scoir and ten greit and small jeistis of aik for platformis, handspakis, waigeis, and nuyttis to the said artailyearie; twa hundrith stane of irne to serve for all the strenthis quhair artailyearie is to be montit; fyve scoir stanis of leid for bullettis to be maid to small feilding pecis; and als that the said Thesaurare pay compleitlie the ordinaris haill wagis awand to thame in tymes bipast, and likwyise mak thame payment thankfullie of thair ordinar wagis during the tyme of thair laubour, provyding that the said Johnne, comptrollar of the artailyearie foirsaid, hald thame continewalie laubourand, everie man according to his craft and vocatioun, unto sic tyme that all the artailyearie of this realme be perfytelie montit and put in sufficient ordour; and the samyn being done be thame, thai to be consildderit and satisfiit extraordinarlie as thai haif bene in tymes bipast, according to use and wount.

Item, the said Johnne Cheisholme salbe haldin to furneis with all necessaris the said artailyearie, viz., of cabillis, sowmis, cheittis, rigwiddeis, brass and coppir for brusches, talloun, skynnis, takkettis for chargeouris and moppettis, smiddy coill, and all extraordinar wagis for boit frauchtis, proneris, wadgis, schuillis, pikkis, and mattokis, with all necessaris that may be fund expedient for the said artailyearie, alsweill to serve in the strenthis as on the feildis; and this to be done and furneist be the said Johnne upoun the soum of ane thowsand pundis, quhilk the King and Quenis Majesteis hes assignit and ordanit the Maistir of Maxwell to pay to him; and gif ony thing restis unspendit of the said soum of ane thowsand pundis, the said Johnne sall randir compt to thair Hienessis of the samyn, or to sic as thai sall appoint to ressave the samyn. Quhilkis premissis thair Majesteis ratifiit, apprevit, and fand guid and expedient in all pointis.

Apud Edinburgh, duodecimo die mensis Novembris, anno Domini millesimo quingentesimo sexagesimo quinto.

The quhilk day, anent the charge and command gevin to David Orme, sumtyme Chalmerlane of the Pryorie of Sanctandrois, to compeir befoir the King and Quenis Majesteis and Lordis of thair Secreit Counsall, at ane David Orme.

certane day bigane, to have answerit to sic thingis as thair Majesteis comptrollar and Thesaurare had to lay to his charge; the said David comperit personalie and producit his compt buik, quhilk wes sichtit, sene, and laid be the Thesaurare, and thaireftir bayth the saidis Comptrollar and Thesaurare being inquirt quhat farther thai had to lay to the said Davidis charge, declarit thai had na uther thing to burdyn him with all; and thairfoir the saidis Lordis declarit that he had dewlie and sufficientlie obeyit the command and charge of the charge and commandiment, and that he may sauflie depart hame at his plesour; quhairupoun the said David askit actis and instrumentis.

Apud Edinburgh, xxv die mensis Novembris, anno Domini millesimo quingentesimo sexagesimo quinto.

Pharnyhirst. Hunthill. The quhilk day, forsamekill as Sir Thomas Ker of Pharnyhirst Knycht, and Johnne Rutherfurde of Hunthill, havand diverse of thair servandis fylit in the billis of Elname Newtoun and of Johnne Scot of Vowlar, quhilkis billis ar sworne; and becaus the faltouris contenit in the samyn could nocht be had, Sir Waltir Ker of Cesfurde Knycht, wardane, hes deliverit twa servandis of his awin in Ingland; and for falt and releif of the said wardane and his servandis foirsaidis, the saidis Lardis of Pharnyhirst and Hunthill hes remanit in ward within the Castell of Edinburgh. And now becaus thair is ane day of trew appointit betuix the wardanis of this realme and Ingland upoun Thurisday and Fryday nix to cum, the said Lard of Pharnyhirst hes offerit and takis upoun him, he being sufferit to pas furth of ward, to freith and releif oure Soverannis Lord and Lady and the Wardane and his servandis of the saidis billis, and the said Wardanis servandis expenssis maid sen the tyme of thair delivery for the saidis billis. And attour for the mair performing surelie of the premissis, the said Lard of Hunthill and Robert Ker of Wodheid sall remain in ward within the said castell as pledgeis for releif of the saidis billis and expenssis foirsaidis; and als, gif the said Lard of Pharnyhirst failyeis in the said releif making, the dayis foirsaidis, he sall entir him self within the said castell the thrid day of December nix to cum, thair to remane with the saidis utheris personis in ward for redressing of the saidis billis and expenssis foirsaidis at oure saidis Soverannis plesour.

Apud Edinburgh, xv die mensis Novembris, anno Domini millesimo quingentesimo sexagesimo quinto.

Cautionaris for the men of Sanctandrois. The King and Quenis Majesteis ordanis George Broun and Maistir Martine Geddy, citienaris of Sanctandrois, to find souertie that thai sall entir thair personis in ward in quhat place it sall pleis thair Hienessis, quhen thai salbe requirit upoun sex dayis warning, ayther of thame, undir the pane of fyve hundrith pundis; and the said souertie being fundin, the King and Quenis Majesteis relevis thame of thair present ward, and grantis thame

licence and libertie to pas hame to thair dwelling places or utherwyise at thair plesour, without ony cryme, skayth, or danger to be incurrit be thame thairthrow.

Apud Edinburgh, xxi Novembris, anno, etc. lx quinto.

The quhilk day, Johnne Cant, indwellar of Leyth, become souertie for the said George Broun, and Andro Geddie citienar of Sanctandrois souertie for the said Maistir Martine Geddy, eftir the forme and tennour of the said Act and ordinance, and undir the panis contenit in the samyn. Sic subscribitur, Andro Geddy, with my awin hand, Johnne Cant, with my hand.

Apud Edinburgh, xv Novembris, anno, etc. lx quinto.

Murray, Lermonth, Lundy, Wod, Scott, Traill.

The King and Quenis Majesteis ordanis Andro Murray of Balvard, Patrik Lermonth of Darsy, Maistir Williame Lundy youngar of that Ilk, Andro Wod youngar of Largo, Thomas Scot of Abbottishall, and Alexander Traill of Blabo, to find souertie that thai sall entir thair personis in ward in quhat place or places it sall pleis thair Hienessis, quhen thai sal be requirit, upoun sex dayis warning, undir the pane following; that is to say, ilkane of the saidis Andro Murray, Patrik Lermonth, Maistir Williame Lundy, Andro Wod, and Thomas Scot undir the pane of twa thowsand pundis, and the said Alexander Traill undir the pane of ane thowsand pundis; and the said souertie being fundin be the saidis personis, the King and Quenis Majesteis relevis thame of thair present wardis, and grantis thame licence and libertie to pas hame to thair dwelling places, and utherwyise at thair plesour, without ony cryme, skayth, or danger, to be incurrit be thame or thair souerteis fund be thame for hair remaning in ward be north the wattir of Dee and within Stratherne respective.

Apud Edinburgh, xix Novembris, anno, etc. lx quinto.

David Erle of Craufurd become souertie for Maistir Williame Lundy, youngar of that Ilk, eftir the forme and tennour of this act and ordinance, and undir the panis contenit in the samyn.

Apud Edinburgh, xxi Novembris, anno, etc. lx quinto, etc.

Patrik Monypenny of Pilrig and Maistir Johnne Logane of Craighous, become souertie for Andro Wod youngar of Largo, eftir the forme and tennour of this act and ordinance, and undir the panis contenit in the samyn. Sic subscribitur, Patrik Monypenny of Pilrig. Maistir Johnne Logane of Craighous.

[In like form become security—Sir William Scot of Balwearie, for Thomas Scot of Abbotshall; Sir William Murray of Tullybardin, for Andrew Murray of Balvard; David Spence of Wilmerston (10th December), for Sir Patrick Lermonth of Dersy, and Alexander Traill of Blabo.]

Apud Edinburgh, xxvi die mensis Novembris, anno Domini millesimo quingentesimo sexagesimo quinto.

Sederunt. Jacobus Comes de Mortoun. Georgius Comes de Huntlie. Joannes Comes de Atholl. David Comes de Craufurd. Joannes Comes de Mar. Alexander Episcopus Candide Case. Thesaurarius. Secretarius. Advocatus. Joannes Commendatarius de Lundoris. Robertus Carnegy de Kynnard, Miles.

Protestatio Ross of Hanyng.

Anent the complaintis maid be Johnne Ross of Hanyng, Robert Craufurd of Smidyschaw, Robert Makmillane in Air, Johnne Millar in Alloway, and Johnne Murray in the barony of Uchiltre, makand mentioun that quhair thai wer laitlie chargeit be vertew and at command of the King and Quenis Majesteis lettres, past undir thair subscriptioun and signet, to compeir personalie befoir thair Majesteis and Lordis of thair Secreit Counsall, upoun the sext day nixt eftir the charge, to answer to sic thingis as salbe laid to thair charge, undir the pane of rebellioun and putting of thame to the horne; and gif thai failyeit thairin, the saidis sex dayis being bipast, to put thame to the horne, lyke as at mair lenth is contenit in the saidis lettres; and albeit thai, as guid and obedient subjectis, come to the burgh of Edinburgh within the saidis sex dayis, and that the samyn sex dayis ar bipast, and that thai haif awaytit upoun thair calling continewalie sensyne; nevirtheles as yit thai ar nocht callit, bot constrenit to remane thairupoun to thair havie dampnage and skayth; the saidis lettres being producit, dewlie execut and indorsat upoun the saidis personis and diverse utheris, comperit personalie the personis abone nemmit; in respect of quhais comperance the Lordis of Secreit Counsall findis the command of the saidis lettres realie and with effect obeyit, and thairfoir decernis and ordanis the samyn lettres to be put to na forder executioun, and suspendis the effect thairof and horning contenit thairin simpliciter, in all tyme cuming.

Apud Edinburgh, penultimo die mensis Novembris, anno Domini millesimo quingentesimo sexagesimo quinto.

Sederunt. Jacobus Comes de Mortoun, Cancellarius. Georgius Comes de Huntlie. Joannes Comes de Atholl. David Comes de Craufurd. Alexander Episcopus Candide Case. Joannes Commendatarius de Lundoris. Secretarius. Thesaurarius. Clericus Registri. Clericus Justiciarie. Advocatus. Robert Carnegy de Kynnard, Miles.

Hundoly. Toun of Jedburgh.

Anent the supplicatioun presentit be the Provest, Baillies, Counsall, and communitie of the burgh of Jedburgh, makand mentioun that quhair Sir Nicholas Rutherfurde of Hundoly Knycht, allegeand his predicessouris to haif bene commounlie chosin Provestis of the said burgh, and that he is abill to succeid thairto, hes purchest the King and Queenis Majesteis writting, charging the saidis complenaris to elect him Provest, and to depose thair Provest ellis electit, as the writting at mair lenth beris; and

albeit the law and practik wald permit, as it will nocht, yit in respect of bluid standing betuix the saidis complenaris and the said Sir Nicolas, thay on na wayis sould be compellit to cheise him Provest, and thairfoir the chargeis gevin be thair Majesteis to that effect aucht and sould be suspendit simpliciter; and anent the charge gevin to the said Sir Nicolas, to compeir befoir thair Hienessis and Lordis of thair Secrete Counsall ane certane day bigane, to answer to the said complaint, the said Sir Nicholas comperand personalie, and Williame Howburne ane of the baillies of the said burgh comperand alswa personalie, producit, qualifiit in writ, the maner of the bluid and inymitie standing betuix the said Sir Nicholas and the inhabitantis of the said burgh of Jedburgh, unrecounsalit with utheris wrangis and enormiteis committit be him upoun thame. Quhilk being considderit, and the saidis partiis utheris rychtis ressonis and allegationis, being hard sene and undirstand be the King and Quenis Majesteis and Lordis of thair Secreit Counsall, and thai ryplie avysit thairwith, thair Majesteis, with avyise of the saidis Lordis, dischargeis Marcus Turnbull, present Provest of the said burgh, of further using and exerceing of his office of provestrie thairof during thair Hienessis will and plesour, and als ordanis the baillies, counsall, and communitie of the same burgh to elect and cheise Richert Rutherfurd, burges thairof, in president of the samyn, to supple the place of the provest quhill the said allegeit bluid and inymitie may be tryit and decydit, to the probatioun quhairof the xvi day of December nix to cum is assignit, and the copy of the writing contening the qualificatioun of the said unrecounsalit bluid and inymitie deliverit to the said Sir Nicholas to the effect that he may answer to the same the said day as accordis; and als ordanis lettres to be direct to summond sic witnessis as the said baillies and inhabitantis of the said burgh will use for preving of the said bluid and inymitie, to compeir befoir thair Majesteis and Lordis foirsaidis the said day and place, undir the pane of rebellioun and putting of thame to the horne; bayth the saidis partiis warnit apud acta.

Davidsonis of Symestoun and Merche Cleuch

Anent oure Soveranis Lord and Ladiis lettres, past undir thair Majesteis subscriptioun and signet, contening charge and command wes gevin to Robert Davidsoun of Semestoun, and Williame Davidsoun in Fowmerden, to haif comperit personalie befoir thair Majesteis and Lordis of thair Secreit Counsall this instant day, to answer to such thingis as sould be inquirit at thame, undir the pane of rebellioun and putting of thame to the horne, with certificatioun to thame and thai failyeit, the said day being bipast, utheris lettres sould be direct to denunce thame rebellis and put thame to the horne, lyke as at mair lenth is contenit in the saidis lettres and executioun thairof. The said Robert Davidsoun comperand personalie, and the said Williame Davidsoun being oftymes callit and nocht comperand, the Lordis of Secreit Counsall proponit to the said Robert how it wes the King and Quenis Majesteis plesour to haif the feid and inymitie standing betuix the saidis Robert and Williame, and thair freindis, on the ane part,— and Williame Davidsoun in Marchecleuch, and Robert Davidsoun his

bruther, on the uther part,—for the slauchtir of umquhile George Davidsoun in Marchecleuch unrecounsalit, in respect that it wes convenient for the quietnes of the cuntre and thair Hienessis service, bot chieflie in consideratioun of the lang banisement sustenit be the saidis Williame and Robert Davidsoun in Merchecleuch brethir, and of the hummill sute and office presentit to thair Hienessis willing to mak all assythment and amendiment for the said slauchtir that lyis in thair possibilitie. To quhome the said Robert Davidsoun of Semestoun answerit that he could do na thing without the avyise and consent of his remanent freindis; and thairfoir the saidis Lordis ordanit the said office to be deliverit to the said Robert to be avysit thairwith, and assignit the xvi day of December nix to cum, tohim and the said Williame Davidsoun in Fowmerden and remanent his freindis —quhais avyise and counsall he will use in this caise—to compeir befoir the saidis Lordis to gif a resoluit and determinat answer quhat thai will do anent the same offeris and reconsiliatioun; and the said Robert undirtuke that his saidis freindis sould keip the said day; or at leist he sould mak advertisement in dew tyme of befoir, that in caise thai wald nocht compeir, chargeis mycht be direct aganis thame as efferit.

Apud Edinburgh, primo die mensis Decembris, anno Domini millesimo quingentesimo sexagesimo quinto.

Sederunt. Jacobus Comes de Mortoun. Georgius Comes de Huntlie. Joannes Comes de Atholl. David Comes de Craufurd. Alexander Episcopus Candide Case. Secretarius. Thesaurarius. Clericus Registri. Clericus Justiciarie. Advocatus. Magister Jacobus Balfour, Rector de Flysk. Robertus Carnegy de Kynnard, Miles.

Protestatio Ker. Anent the supplicatioun presentit be Andro Ker of Fawdounsyde, makand mentioun, that quhair he wes chargit to present him self befoir the King and Quenis Majesteis and Lordis of thair Secreit Counsall upoun the sext day next eftir the charge, to answer to sic thingis as sould be laid to his charge, undir the pane of rebellioun and putting of him to the horne; and gif he failyeit to put him to the horne, as the lettres direct to that effect beris; at command of the quhilk, he hes awaytit continewalie sen the executioun thairof upoun him to the space of fyve oulkis reddie to answer to sic thingis as sould be laid to his charge, and is yit present to that effect, lyke as at mair lenth is contenit in the said supplicatioun. The Lordis of Secreit Caunsall findis the command of the saidis lettres realie and with effect obeyit be the said Andro, and thairfoir decernis and ordanis the samyn lettres to be put to na forder executioun aganis him, and suspendis the effect thairof and horning contenit thairin simpliciter in tyme cuming.

Protestatio Comitis de Cathnes. At Edinburgh, the first day of December, the yeir of God j^{m}v^{c}lxv yeris, in presence of the Lordis of Secreit Counsall comperit Johnne Maistir of Caithnes, in name and behalf of George Erle of Caithnes his fadir, and pro-

ducit ane copy of the King and Quenis Majesteis lettres past be deliverance of the Lordis of Secreit Counsall, purchest be Williame Hectorsoun alias Sutherland in Berydaill, Angus Hectorsoun in Myllarie, Alexander Sutherland in Suffestor, Williame Sutherland in Brabister youngar, and Alexander Murchesoun in Kilmustren; be vertew of the quhilkis lettres the said Erle is chargit to compeir befoir the King and Quenis Majesteis and Lordis foirsaidis this instant first day of December, to heir and se exemptioun grantit to the saidis personis,—exemand thame, thair kin, freindis, and servandis, tenentis, allia, and partakaris,—fra the said Erll, his office and jurisdictioun for all crymes in generall, becaus souertie is fund be thame to the Justice Clerk and his deputtis, that thai sall undirly the lawis the thrid day of the nixt justice air of Invernes, or sonar, quhen and quhair it sould pleis thair Majesteis, upoun xv dayis warning, for all crymes that may be laid to thair charge; lyke as at mair lenth is contenit in the copy of the saidis lettres, of the dait the thrid day of November last bipast. And in respect that this instant day wes assignit to the said Erll to compeir without ony continewatioun of dayis, and that nochtwithstanding, the said Williame nor nane of his collegis abonewrittin, producit the principall lettres, nor yit comperand, being oftymes callit, comperit the said Maistir of Caithnes, in name and behalf of the said Erll his fadir, protestit that the said Erll sould nocht be haldin to answer to the saidis lettres, quhill he be of new chargit and sic expenssis payit as the saidis Lordis of Secreit Counsall thocht ressonabill; quhilk protestatioun thair Lordships admittit; and thairupoun the said Maistir askit actis and instrumentis.

Declaratioun anent the executioun of the summondis of tressoun.

The quhilk day, in presens of the King and Quenis Majesteis and Lordis of Secreit Counsall, comperit Maistir Johnne Spens of Condy, advocat to thair Hienessis, and exponit how at thair Majesteis command he had libellit summondis of treasoun, aganis Archibald Erle of Ergyle, James Erle of Murray, Alexander Erle of Glencarne, Andro Erle of Rothes, Andro Lord Uchiltre, Robert Lord Boyd, and diverse utheris,—to compeir in the nixt Parliament, to begin the ferd day of Februare nix to cum, to heir thame decernit to haif incurrit the cryme of lese majestie and to haif tynt and forfaltit lyff, landis, and gudis for certane crymes of tressoun and lese majestie, specifiit in the saidis summondis. Bot becaus thair wes diverse of the saidis personis outwith the realme, and havand na certane dwelling places, utheris to quhais dwelling places and presens thair is na suir passage, it behuvit thame be summond be oppin proclamatioun at the marcat croce of Edinburgh, and utheris croces nixt adjacent according to the commoun law; and thairupoun desyrit a declaratioun and determinatioun of thair Majesteis and Lordis forsaidis. The quhilk being reasonit with guid deliberatioun and avysement, thair Majesteis and Lordships findis and declaris that the saidis personis being summond in maner abone specifiit, the executioun is als sufficient in all respectis as gif the same summondis wer execut upoun thame personalie or at thair dwelling places.

Apud Edinburgh, secundo die mensis Decembris, anno Domini millesimo quingentesimo sexagesimo quinto.

Caution for the guidis of Badinheth.

The quhilk day, Johnne Cunynghame of Cunynghameheid youngar, Thomas Levingstoun of Hanyng, and Johnne Cleland of Foskane, ar becum cautionaris and souerteis, conjunctlie and severalie, that all and sindry, the cornis cattell and gudis being upoun the landis of Baddinhaith, steilbow and utheris, or upoun ony stedingis of the saidis landis, salbe furthcumand to the King and Quenis Majesteis, as accordis of the law, in caise it be fund that the samyn of law and ressoun pertenis to thair Majesteis as escheit; and that according to the inventour to be maid thairof be Alexander M°Culloch, messinger, quha is presentlie direct be the Thesaurare to that effect, swa that the samyn gudis be nocht intromettit with be the Erle of Levenax, Lieutenent, or be grittar force nor the saidis cautionaris ar abill to resist; and the saidis personis findand utheris als sufficient cautionaris betuix and the xv day of December instant, thai salbe relevit of this present Act. Sic subscribitur, Johnne Cunynghame, youngar of Cunynghameheid. Thomas Levingstoun of Hanyng. Johnne Cleland in Foskane, with my hand at the pen, etc. Ita est Alexander Hay notarius, etc.

Apud Edinburgh, septimo die mensis Decembris, anno Domini millesimo quingentesimo sexagesimo quinto.

Sederunt. Jacobus Comes de Mortoun. Georgius Comes de Huntly. Joannes Comes de Atholl. David Comes de Craufurd. Alexander Episcopus Candide Case. Secretarius. Thesaurarius. Clericus Registri. Clericus Justiciarie. Advocatus. Joannes Commendatarius de Lundoris. Magister Jacobus Balfour, Rector de Flysk. Robertus Carnegy de Kynnard, Miles.

Haitlie. Wardlaw

Anent the complaint maid be Williame Haitlie, sone to Johnne Haitlie of Mellestanis, makand mentioun that quhair he, being in the cumpany for the tyme with Alexander Hepburne of Quhitsum, capitane of certane horsmen, wan ane gray hors fra Cuthbert Cunynghame, servand to the Maistir of Glencarne, being aganis the King and Quenis Majesteis autoritie, quhilk hors James Wardlaw, lieutenent to the said capitane, wranguslie tuke and withhaldis fra the said Williame, lyke as be tryall tane be the Erle of Atholl the said hors is fundin to pertene to him of ressoun and equitie. Nevirtheles, the said James Wardlaw differris and will nocht deliver to the said Williame the said hors without he be compellit; and anent the charge gevin to the said James Wardlaw, to compeir befoir thair Majesteis and Lordis of Secreit Counsall at ane certane day bigane, to answer to the said complaint, the said Williame Haitlie comperand personalie and the said James oftymes callit and nocht comperand, the Lordis of Secreit Counsall ordanis Johnne Erle of Atholl, etc., and Sir Johnne Bellenden of Auchnowle Kyncht, Justice Clerk, to tak triall and cognitioun quhilk of the saidis partiis the said hors justlie appertenis; and ordanis lettres to be

direct to charge James Wardlaw to present the said hors to the said Erle of Atholl, to remane with his Lordship to the behuif of ayther of the saidis partiis quhilk salbe fundin havand rycht to him as said is.

Ker de Wodheid.

The quhilk day, Williame Patersoun and Thomas Todenar, burges of Edinburgh, become souerteis that Robert Ker of Wodheid sall remane in ward within the burgh of Edinburgh, and on na wyise eschew furth of the same quhill he be fred be the King and Quenis Majesteis and thair Secreit Counsall, undir the pane of twa thowsand pundis; and Thomas Ker of Pharnyhirst Knycht, Thomas Turnbull of Bedroule Knycht, and Johnne Rutherfurde of Hunthill, youngar, obleist thame to releif the saidis souerteis of this present Act, and all pane and danger that thai may incur thairthrow. Sic subscribitur, William Patirson. Thomas Todenar. Thomas Ker of Pharnyhirst. Thomas Turnbull of Bedroule. Alexander Hay, de mandato dicti Johannis Rutherfurde, juvenis de Hunthill.

Apud Edinburgh, xvii Decembris, anno, etc. lx quinto.

Sederunt. Jacobus Comes de Mortoun. Georgius Comes de Huntlie. Joannes Comes de Atholl. Joannes Comes de Mar. Patricius Dominus Ruthven. Alexander Episcopus Candide Case. Joannes Maxwell de Terreglis, Miles.

Hundoley. Jedburgh.

Anent the terme assignit to the baillies, counsall, and communitie of the burgh of Jedburgh, to preif the allegit bluid and inymitie standing betuix thame, on the ane part, and Sir Nicholas Rutherfurde of Hundeley Knycht, on the uther part, the said Sir Nicholas comperand personalie, and als Williame Howburne, ane of the baillies, and Marcus Turnbull, burges of the said burgh, in name of the baillies, counsall, and communitie thairof, comperand alswa personalie. The Lordis of Secreit Counsall continewis the said mater in the samyn forme, force, and effect as it is now but prejudice of partie, quhill the day of nixtocum; and ordanis lettres to be direct to summond Sir Thomas Ker of Pharnyhirst, George Ker thair, Williame Dowglas of Bonejedburgh, Stevin Dowglas in Bankend, Maistir George Dowglas, Sir Andro Anyslie, Johnne Rutherfurde of Hunthill, and Thomas Hendirsoun, witnessis—quhilkis wer summond of befoir and comperit nocht—to compeir the said day, undir the pane of rebellioun and putting of thame to the horne; and gif thai failye thairin, the said day being bipast, to put thame to the horne, and to escheit, etc., becaus thai wer summond of befoir, undir the said pane of rebellioun and dissobeyit; and als to summond ma sic witnessis as the saidis baillies, counsall, and communitie will use for probatioun of the said allegeit bluid and inymitie, to compeir the samyn day, undir the pane of rebellioun; bayth the saidis partiis warnit apud acta.

Apud Edinburgh, xxii die mensis Decembris, anno Domini millesimo quingentesimo sexagesimo quinto.

Sederunt. Domini ut in die predicto.

Ordour for the Comptrollar.

The King and Quenis Majesteis, undirstanding that thir diverse yeris bigane and presently mony and sindry of thair subjectis hes nocht ceissit avariciouslie and without all consideratioun to seik of thair Hienessis the propirtie of thair croun, quhilk aucht na utherwyis be disponit bot to the sustentatioun of thair houssis; as alswa sic thrids of benefices as necessarlie mon be had to the support of thair Hienessis propirtie foirsaid, and sustentatioun of thair uther neidfull chargeis; quhairthrow of tymes thair Majesteis liberalitie causles schawin, throw inoportune and schameles asking, hes causit thair Hienessis propir effaris to be neglectit and want that thing quhairwith it sould haif bene performit. And thair Majesties, with avyise of thair comptrollar, having calculat and considerit quhat money and victualis will yeirlie furnes and sustene thair Majesteis hous and averie, hes fund that necessarlie thair mon be assignit for furnissing and sustentatioun thairof xxxv^{m} lĭ. money, lxxii chalderis quheit, fiftie chalderis beir, ane hundrith and threttie chalderis aittis; for payment of the quhilkis, thair Majesteis, with avyise of the Lordis of thair Secreit Counsall, hes appointit and assignit the sowmes of money following:—First, the money of thair Hienessis propirtie, restand attour the payment of thair Graces ordinar servandis and utheris deductionis; the money of the thrids of benefices and commoun kirkis within the sherefdomes of Forfar, Kincardin, Perth, Fyff, Abirdene, Banff, Murray, Invernes, Orknay, and Zeitland; togidder with the bischoprik of Glasgow, pryorie of Quhitherne, abbayis of Paslay, Kilwynning, Kelso, Jedburgh, and Newbottill; the rest of the beir of Orknay and Ross, attour the provisioun of thair Majesteis houssis; the thrids of the beneficiall landis within the scherefdomes of Forfar, Kincardin, Perth, Fyff, Abirdene, Banff, Murray, Invernes, Orknay, Zeitland; for quheit thair wilbe restand undisponit of thair Majesteis propirtie xliiii chalder and the rest to be takin of the thrid of benefices; furth of the archbischoprie of Sanctandrois, ten chaldir, twa bollis; of Dunfermling, ix chaldir, ix bollis; of Lundoris, thre chalderis, xii bollis; of Scone, fyve chaldir, fyve bollis; extending in the haill to lxxii chalderis, xii bollis; the expenssis of thair Hienessis houssis in beir extending to fiftie chaldir, to be takin of thair Majesteis propirtie in Fyff and Striviling schyre; the expenssis of thair Hienessis houssis in aittis extending, as said is, to ane hundrith and xxx chaldir, to be takin first of the rest of thair Majesteis propirtie undisponit, xxiiii chaldir; and of the thrid of the archbischoprik of Sanctandrois, xxii chaldir, ix bollis; of the Abbay of Dunfermling, xlix chaldir, viii bollis; of the pryorie of Sanctandrois, fiftie chaldir; of the Abbay of Cowpar chalderis, iii bollis; of the bischoprik of Dunkeld, ix chaldir, vi bollis aittis. Quhairfoir and to the effect that the mouthis of unsaciabill askaris sal be stoppit, and that

thair Majesteis houssis may be weill and sufficientlie furneist, and that na thing appointit and assignit thairto be utherwayis distributit or gevin to ony persoun or personis for quhatsumevir caus or occasioun, thair Hienessis is contentit in tyme to cum to suspend thair handis fra all geving, granting, or dispositioun of ony part or portioun of thair Hienessis propirtie foirsaid, or of the thridis of benefices and commoun kirkis abonewrittin, to ony persoun or personis for ony caus or occasioun, bot the samyn to be uptakin to the furnissing and sustentatioun of thair Hienessis houssis and averie, as said is. And in caise ony gift or dispositioun, tak, assignatioun, or uther rycht or tytill be alreddie impetrat of thair Majesteis, or heireftir sal happin to be purchest be quhatsumevir meanis or cullour, thair Hienessis presentlie renuncis, revokis, and dischargis the samyn simpliciter, alsweill thame quhilkis ar alreddie past as that heireftir sal happin to be purchest; and ordanis the Lordis of Counsall and Sessioun to direct and grant lettres at thair Majesteis Comptrollaris instance, for answering and obeying to him of the haill frutis, rentis, emolumentis, and dewiteis of the landis, kirkis, and possessionis, propirtie, thridis of benefices and commoun kirkis specialie abone expremit, nochtwithstanding ony gift, dispositioun, or rycht, that hes or sal happin to be grantit heireftir of the samyn, or ony part thairof.

The new riall cunyeit.

It is statute and ordanit be oure Soveranis Quene and Kingis Majesteis, with avyise of the Lordis of thair Majesteis Previe Counsall, that thair be cunyeit ane penny of silver callit the Marie ryall, the fynes of ellevin deneris fyne and of wecht ane unce, troce wecht, with twa granes of remeid alsweill of wecht as fynes, havand on the one syde ane palmetre crownit, ane schell padocke crepand up the schank of the samyn, ane bill about the tre writtin thairin "Dat gloria vires," the dait of the yeir thair undir, with this circumscriptioun, begynning at ane thirsill "Exurgat Deus et dissipentur inimici ejus," and on the uther syde oure saidis Soveranis armes coverit with ane close croun, ane thirsill on ilk syde with this circumscriptioun, begynning at ane croce directlie abone the croun, "Maria et Henricus Dei gratia Regina et Rex Scotorum"; the said penny to haif cours for xxx ß. money of this realme, the twa part for xx ß. and the thrid part x ß., all of this samyn fynes and prent, and of wecht equivalent: to wit, the twa part of wecht xvi deneris, and the thrid part viii deneris. In consideratioun quhairof we charge David Forest, generall of oure cunye, Johnne Achesoun, maistir cunyeour, and all utheris officiaris of oure cunyehous, ilk ane in thair awin office, to forge, prent, and caus be forget and prentit sic pecis of wecht and fynes within thair remeidis as is abonespecifiit, and that lettres be direct for publicatioun heirof in dew forme as efferis, swa that nane pretend ignorance heirof.[1]

[1] See "Records of the Coinage of Scotland, from the earliest period to the Union, collected by R. W. Cochran Patrick," 1576, I. 78. Plate vii. No. 10. The ryall is among the coins ranged in a glass case in the Museum of the Society of Antiquaries of Scotland, where it will be seen that the "schell padocke" is a lizard.

Henrie and Marie, be the grace of God, King and Quene of Scottis, to all and sindry oure loving subjectis and utheris quhais knawlege thir oure lettres sal cum, greting. Forsamekill as thair wes laitlie presentit unto us ane articles maid aganis our trusty servitour Sir Johnne Maxwell of Terreglis Knycht, Wardane of oure West Marchis, contening diverse pointis of heich treasoun and utheris haynous crymes to haif bene committit aganis us, this oure realme, and subjectis thairof; and we having causit the samyn to be diligentlie examinat be the Lordis of oure Secreit Counsall, in oure awin presens, hes perfytelie undirstand thame to be untrew and groundit upoun particular malice, and utheris respectis nor ather attending to oure honour or yit the commoun weill of this our realme and subjectis, as mair particularlie be thir presentis sall appeir. First, quhair it is allegit that he sould haif past to the realme of Ingland and sworne himself ane Inglisman, and haif causit and compellit in thai cuntreis sindry of oure subjectis to haif done the lyke, we knaw perfytelie that albeit eftir the loiss of the unhappy Feild of Pinkecleuch, quhen that ane greit nowmer of our subjectis, alsweill of the inlandis as of the haill bourdouris, wer compellit to tak assurance with Ingland, the said Sir Johnne, havand his fadir and bruther tane with the maist part of all thair freindis and servandis, he assurit with Ingland, yit in his assurance he nevir offendit till ony of oure guid subjectis, nowther in his doingis nor consent, nor nevir constrenit he ony uther till haif assurit, as is injustlie allegit. Thairfoir we haif remittit the samyn till him, as till all utheris oure guid subjectis of lang tyme bipast. And quhair it is said he brak his ward furth of oure castell of Edinburgh, becaus we undirstand be his offeris, and hering na contrarie that he may abyde lawis, and is weill plesit to do gif ony of oure trew subjectis be in particular plentuous of him; and to mend it with all extremitie in body or gudis as the caus may be fund worthie, and that evir sen he wes borne; upoun this his humane requeist and guid offer, we haif remittit the samyn, and put it in the law of oblivioun, with his passing to Leyth, accumpaneing utheris our subjectis, as in our pardoun and favouris gevin thairupoun of befoir mair fullelie is specifiit. And for that he accumpaneit in Drumfreis of lait ane nowmer of oure subjectis quhilk now ar rebellis and past in Ingland; for that we undirstand that he wes nevir of mynd to ayde thame aganis us, as be his continew-all humane laubouring to us for thame; and als that he wald on na wayis tak part nor assist with Ingland, nor pas with thame in that realme, nor as we knaw wes nevir of counsall, nor previe to na particulariteis we haif to lay to thair charge befoir thair cuming to oure toun of Drumfreis, as may appeir upoun oure princelie naturall clemency, being be him maist humelie socht, we haif as of befoir remittit the samyn. And quhair it is allegit that throw him and be his gredines, the subjectis of our realme in thai partis hes bene thir mony yeris bipast spulyeit, slane, and oppressit be Ingland and the thevis; and alswa that he sould haif ressavit the augmentatioun of ane reversioun contenand sex thowsand markis to assist with thame, and ane purse of ryallis and gold frome Ingland for to dis-

cover the secrettis of oure Counsall and realme to that realme,—we undirstand rycht perfytelie the plane contrarie. He hes bene and is oure trew servand and ane gude justiciar, and in executioun of oure service hes tane greit travellis and panis, berand ane wechtie charge in the commoun service of this our realme mony yeris bipast, and execute the lawis upoun rycht mony and notabill offendouris, defending oure guid subjectis frome sic enormiteis and oppressionis as is layd to his charge; nor hes ressavit na augmentatioun of ony reversioun as is injustlie allegit, nor na gold frome Ingland, nowther hes nor will discover oure secretis to thame nor na utheris to the hurt of us his Soverane, this oure realme nor subjectis; and oure will is that he salbe repute as our rycht trusty servand and counsalour in all tymes cuming. And this our declaratioun we command to be insert in the bukis of Counsall ad perpetuam rei memoriam, and the copy of the samyn to be gevin undir oure hand, writt, and signet to him, maid at oure palice of Halieruidhous, the first day of Januare, the yeir of God j^{m}v^{c} thre scoir fyve yeris, and of oure regnnes the xxiiii and first yeris.

Apud Edinburgh, quarto die mensis Januarii, anno Domini millesimo quingentesimo sexagesimo quinto.

Sederunt. Matheus Comes de Lennox. Jacobus Comes de Mortoun. Georgius Comes de Huntly. Joannes Comes de Atholl. Joannes Comes de Mar. Patricius Dominus Ruthven. Alexander Episcopus Candide Case. Joannes Commendatarius de Lundoris. Magister Jacobus Balfour. Clericus Justiciarie. Advocatus.

Anent the complaint maid be Grissell Sempill, Lady Stanehous, makand mentioun that quhair,—nocht allanerlie upoun displesour done to hir servand, James Ramsay, within oure Soveranis palice of peace, be occasioun of Johnne Ur, servand to Williame Blacater, schö obtenit lettres, chargeing the Provest and Baillies of Edinburgh, and utheris officiaris, to tak and apprehend the said Johnne and put him in ward and hald him thairin quhill souertie be fund, that the said Grissell and hir servandis be relevit of his injurious wordis and utheris displesouris,—bot als upoun invasioun maid be the said Williame, his maistir, upoun hir and hir servandis in crewell maner, schö menit hir to the Lordis of Counsall and obtenit thair deliverance, and thairwith causit charge the said Williame, and utheris his cumpanyeonis, to find souertie and lawborrowis to hir and hir servandis within certane schort space; quhilkis hes dissobeyit, lyke as at mair lenth is contenit in the said complaint. The said Grissell Sempill comperand be Allane Flemyng, hir servand, in hir name, and the saidis Williame Blacater and Johnne Ur comperand personalie; the Lordis of Secreit Counsall continewis the said mater in the same forme, force, and effect as it is now, but prejudice of partie, quhill Weddinsday the ix day

Sempill. Blacater.

of Januare instant; and ordanis the said Williame Blacater and his complices chargit, to find souertie and lawborrowis, to the said Grissell and hir servandis, to find sic sufficient souertie, as the Justice Clerk and his deputtis sall stand content with, within xlviii houris nixt eftir the dait heirof, eftir the forme of the charge direct aganis thame and undir the panis contenit in the samyn. And als ordanis the masser of Counsall, or ony uther officiar of armes, to pas and summond sic witnessis as the said Grissell will use for probatioun of hir said complaint and gevin in bill, to compeir the said nynt day of Januare befoir thair Lordships in Counsall, to beir leill and suythfast witnessing in sa far as thai knaw or salbe sperit at thame thairin, undir the pane of rebellioun and putting of thame to the horne. The saidis Williame Blacater and Johnne Ur warnit heirof apud acta.

Caution for the Castel of Sanctandrois.

The quhilk day, Robert Hammiltoun of Briggis, James Hammiltoun of Sanct Johnnes Chappell, and James Glen of Bar, ar becum actit and obleist, conjunctlie and severalie, that the Castell of Sanctandrois, being deliverit to Johnne Archebischop of Sanctandrois, sal be alwayis patent, and be deliverit agane to the King and Quenis Majesteis quhensoevir thai sal haif occasioun to require the samyn, upoun sex houris warning, undir the pane of v^{m} markis, the said Archebischop alwayis havand libertie and space, all the charge to be gevin to transport his movables, furnissing, and victualis being in the said castell furth of the same. Sic subscribitur, James Glen of Bar, Robert Hammiltoun of Briggis, and James Hammiltoun of Sanct Johnnes Chapell, with our handis at the pen led be Alexander Hay. Ita est Alexander Hay notarius.

Apud Edinburgh, septimo Januarii, anno, etc. lx quinto.

Sederunt. Matheus Comes de Lennox. Jacobus Comes de Mortoun. Joannes Comes de Atholl. Joannes Comes de Mar. Patricius Dominus Ruthven. Alexander Episcopus Candide Case. Joannes Commendatarius de Lundoris. Magister Jacobus Balfour. Clericus Justiciarie. Advocatus.

Cesfurd. Pharnihirst. Hunthill.

The quhilk day, forsamekill as Robert Ker of Wodheid wes commandit and fand souertie to remane in ward within the burgh of Edinburgh as cautionar for Sir Thomas Ker of Pharnyhirst Knycht, and Johnne Rutherfurde of Hunthill,—that thai sould freith and releif oure Soveranis Lord and Lady, and the Wardane and his servandis, of the billis of Ailnem Newtoun and Johnne Scottis bill of Vowlar, according to the Act maid thairupoun, and quhill he wer fred be thair Majesteis and Lordships; and nochtwithstanding upoun sinister informatioun maid to thair Lordships,—as that the effect of the said Act had bene fully satisfeit—the said Robert wes lattin to libertie; albeit the saidis Lordis perfytelie now undirstandis the contrarie,

and on na wayis wald haif grantit the said libertie gif the trewth of the mater had bene oppynnit and declarit to thame. Thairfoir ordanis lettres to be direct to charge the said Robert Ker, to entir him self agane in ward within the said burgh of Edinburgh, within thre dayis nixt eftir he be chargeit thairto, thair to remane quhill he be fred be thair Majesteis and Lordships, undir the pane of rebellioun and putting of him to the horne; and gif he failyeis thairin, the saidis thre dayis being bipast, to denunce him rebell and put him to the horne, and to escheit, etc.

Caution for the Castell of Thomptalloun.

In presence of the Lordis of Secreit Counsall, comperit the nobill and mychty lord, James Erle of Mortoun Lord of Dalkeyth, etc. Chancellar of Scotland, as principall, and the nobill Lordis alswa Patrik Lord Ruthven, James Lord Ogilvy, Sir Johnne Ballenden of Auchnowle Knycht Clerk of our Soveranis Justiciarie, and Maistir James Makgill of Rankelour Nethir Clerk of Register,—as cautionaris and souerteis for the said Erll, and gaif in this obligatioun undirwrittin, subscrivit with thair handis, quhilk thai desyrit to be actit and registrat in the bukis of Previe Counsall to haif the strenth of ane Act and decreit thairof, and lettres and executoriallis to be direct thairupoun in forme as efferis. Quhilk desyir the saidis Lordis finding resonabill, ordanit and ordanis the said obligatioun to be actit and registrat in the saidis bukis to the effect abonewrittin, and decernis lettres to be direct thairupoun in forme as efferis. Of the quhilk obligatioun the tennour followis:—We, James Erle of Mortoun, Lord of Dalkeyth, etc., Chancellar of Scotland as principall, and Patrik Lord Ruthven, James Lord Ogilvy, Sir Johnne Bellenden of Auchnowll Knycht Clerk of our Soveranis Justiciarie, and Maistir James Makgill of Rankelour Nethir Clerk of Register, as cautionaris and souerteis for the said Erle, to be bundin and obleist, and be the tennour heirof bindis and obleissis us, conjunctlie and severalie, to the Quenis Majestie, oure Soverane Lady, that in tyme of weir, or utherwayis as it sall pleis hir Majestie quhen hir Hienes findis occasioun, the hous and castell of Thomptalloun salbe reddie and patent to hir Majestie during the tyme that the samyn sal happin to remane in the handis of me, the said Erle, be ressoun of ward or utherwyis, upoun sex dayis warning, quhairunto we obleis us as said is in the stratest forme and sickir style of obligatioun that can be divisit or maid, undir the pane of ten thowsand pundis; and I, the said Erle, obleissis me to releif my saidis cautionaris of the premissis. And for the mair verificatioun, we ar content and consentis that this our obligatioun be actit and registrat in the bukis of Previe Counsall, to haif the strenth of ane act and decreit thairof, and lettres and executoriallis to be direct thairupoun in forme as efferis. In witnes heirof we haif subscrivit thir presentis with oure handis at Edinburgh, the vii day of Januare, the yeir of God $j^{m}v^{c}$ thre scoir fyve yeris, befoir thir witnessis, Alexander Hay, writtar, Williame Dowglas in Bonkill, and George Auchinlek, with utheris diverse. Sic subscribitur, Mortoun. Ruthven. James Lord Ogilvy. Ja. Makgill.

Apud Edinburgh, xii die mensis Januarii, anno Domini millesimo quingentesimo sexagesimo quinto.

Sederunt. Jacobus Comes de Mortoun. Georgius Comes de Huntly. Joannes Comes de Atholl. Georgius Comes de Caithnes. Joannes Comes de Mar. Alexander Episcopus Candide Case. Joannes Commendatarius de Lundoris. Magister Jacobus Balfour.

Simson. Ogilvy.

Anent the complaint presentit be the kin and freindis of umquhile Andro Symsoun, citienar of the citie of Sanctandrois, makand mentioun that quhair in the moneth of October, the yeir of God j^{m}v^{c}lxiii yeris, Patrik Ogilvy, youngar sone to Patrik Ogilvy citienar of the said citie, crewellie slew the said umquhile Andro Symsoun, within the said citie of Sanctandrois, quhair he wes in sobir and quiet maner, belevand to haif levit at Goddis peace and oure Soveranis. Nevirtheles, as the saidis complenaris ar informit the said Patrik is laubourand at thair Majesteis handis to obtene remissioun of the said crewill slauchtir upoun sinister informatioun, allegeand the saidis complenaris to be satisfiit for the same, quhilk is nocht of verite, for nane of his kin nor freindis evir ressavit ony maner of assythment or satisfactioun for his slauchtir, lyke as at mair lenth is contenit in the said complaint. Comperit the said Patrik Ogilvy, youngar, and producit ane lettre of slains maid to him be the relict, sone, and certane utheris kin and freindis of the said umquhile Andro. The Lordis of Secreit Counsall ordanis the commissar and baillies of the said citie of Sanctandrois, or ony twa of the saidis baillies adjonit with the said commissar, to sycht and considdar the said lettre of slanis, and to tak tryall and inqusitioun gif the personis nominat thairin be nerrest kin and freindis to the said umquhile Andro Symsoun, and to report the trewth to thair Lordships, with all guidlie diligence, quhairunto this present Act sall serve thame for a sufficient commissioun.

Apud Edinburgh, xvii Januarii, anno, etc. lxv.

Sederunt. Domini ut in die predicto.

Tenentis of Menteyth.

Anent the complaint presentit be Andro Schaw of Knokhill, Williame Schaw his sone and apperand air, James Edmonstoun of Ballintone, James Balfour of Boghall, James Balfour of M^{c}Canestoun, Archibald Edmonstoun, Agnes Schaw, relict of umquhile Alexander Schaw of Cambusmoir, and diverse utheris, thair Majesteis tenantis and fewaris of thair propir landis of Menteith, makand mentioun that quhair the haill landis, boundis, and lordschip of Menteith is allutirlie heriit, waistit, and distroyit be the Clangregour and utheris evill doaris, and in speciall the landis pertening to the complenaris foirsaidis, quhairthrow thai ar unabill and may nocht pay the few males thairof unto the tyme the saidis landis be occupiit, laubourit, and manurit be tenentis as thai wer of befoir; requiring thairfoir command to be gevin to the Comptrollar and Chalmerlanis, to desist and ceise fra all

craving and uptaking of the males of the saidis waist landis, or executing of ony lettres aganis the saidis complenaris thairfoir unto the tyme the saidis landis may be occupiit and manurit, and thai peciabillie brouke and joise the samyn, lyke as at mair lenth is contenit in the said complaint. The Lordis of Secreit Counsall ordanis lettres to be direct to charge the Comptrollar, and James Stewart of Doun Knycht Stewart and Chalmerlane of Menteith, to compeir befoir the King and Quenis Majesteis and thair Lordships in Counsall, upoun the sext day nixt eftir the charge, to answer to the saidis complaintis, and to heir and se ordour takin anent thame according to equitie and ressoun, undir the pane of rebellioun and putting of thame to the horne, with certificatioun to thame and thai failye, lettres sal be direct to charge thame simpliciter thairto.

[At Edinburgh, 27th day of January 1565, the question regarding the complaint of William Turnbull, burgess of Edinburgh, against Robert Ker of Wodheid adjourned and the narrative repeated, with additions, on its reconsideration on the 27th of January.]

Apud Edinburgh, xxiiii Januarii, anno, etc. lxv.

Sederunt. Matheus Comes de Lenox. Georgius Comes de Huntly. Joannes Comes de Atholl. Jacobus Comes de Bothwell. Willelmus Comes de Marschell. Patricius Dominus Ruthven. Secretarius. Thesaurarius. Computorum Rotulator. Clericus Registri. Magister Jacobus Balfour. Lundoris.

Anent the supplicatioun presentit be Jonet Arth, and David Baxter hir spous, makand mentioun that quhair thai ar chargeit be oure Soveranis Lord and Ladiis lettres, to mak payment, answer, and obey to Alexander Durehame, argentar to thair Majesteis, and to Robert Rait, Chalmerlane to the inbringing of the restis of males and dewiteis of beneficiall landis of diverse yeris and termis bigane, preceding the feist of Martimes in the yeir of God $j^{m}v^{c}$ thre scoir fyve yeris, of fyve markis of allegit annuell, awand be the saidis complenaris to the freris predicatouris for the tyme of the burgh of Dunde, furth of twa tenementis of land pertening to thame, liand within the said burgh; of diverse and sindry termis preceding the said feist within sex dayis nixt eftir the charge, undir the pane of rebellioun and putting of thame to the horne; and for allegit non payment thairof hes put, or intendis to put thame thairto wranguslie; considdering thai nor thair tenementis of land foirsaid ar nocht astrictit nor addettit for payment of the saidis fyve markis annuell, quhairof thai ar chargeit to mak payment be vertew of the saidis lettres, be ressoun that thai wer addettit allanerlie for payment to the saidis freris for the tyme of ane mark of annuelrent yeirlie to be takin up of thair saidis landis and tenement, as thair evidentis maid to thame upoun the payment of the said mark of annuell allanerlie beris; and swa thai being allanerlie addettit to the saidis freris of befoir for payment of ane mark annuell furth of thair saidis tene- Arth. Baxtar. Comptrollar.

mentis, oure Soveranis Comptrollaris Collectouris, the said Alexander Durehame nor na utheris quha clamis to haif rycht to the said annuell in place of the saidis freris aucht nor sould nocht seik of the saidis complenaris ony forder payment of ony annuell except the said ane mark allanerlie contenit in thair infeftmentis, quhilk thai ar content to pay sa far as is rest- and awand instantlie in presens of the said Lordis. In respect of the quhilkis, the saidis lettres chargeing the saidis personis to mak payment of the saidis fyve markis annuell and horning contenit thairintill, aucht and sould be suspendit simpliciter in tyme cuming, exceptand for the payment of the said ane mark allanerlie, for the caussis foirsaidis. And anent the charge gevin to Sir Williame Murray of Tulybardin Knycht Comptrollar to our saidis Soveranis, and Alexander Durehame thair Hienessis argentar, to compeir befoir the saidis Lordis at ane certane day bigane, to heir and se the lettres of horning abone expremit suspendit simpliciter upoun the complenaris abone mentionat for payment of the four markis mair nor is contenit in the infeftment abone writtin, lyke as at mair lenth is contenit in the said complaint. The said David Baxter, comperand personalie in name of him self and his said spous, the said Comptrollar comperand alswa personalie, and the said Alexander Durehame oftymes and nocht comperand, the saidis partiis rychtis, ressonis, and allegationis hard, sene, and undirstand, and being ryplie avysit thairupoun, the Lordis of Secreit Counsall suspendis the saidis lettres in the four formes simpliciter upoun the saidis Jonet Arth, and David Baxter hir spous, for payment of four markis of the said annuelrent of fyve markis allegit awand furth of the landis and tenementis abone writtin, and decernis the saidis lettres to be put to executioun aganis thame, bot onelie for payment of the said ane mark annuell allanerlie, becaus the saidis freris deducit and defalkit to the saidis Jonet and David, hir spous, the saidis four markis annuell yeirlie, for certane ressonabill caussis and considderationis mentionat in the infeftment maid to thame thairupoun, and on the bak thairof, lyke as wes cleirlie undirstand to the saidis Lordis, and ordanis lettres to be direct heirupon gif neid be, in forme as effeiris.[1]

Apud Edinburgh, xxv die mensis Januarii, anno Domini $j^{m}v^{c}$ sexagesimo quinto.

Sederunt. Georgius Comes de Huntly. Joannes Comes de Atholl. Jacobus Comes de Bothwell. Willelmus Comes de Marschell. Patricius Dominus Ruthven. Alexander Episcopus Candide Case. Joannes Commendatarius de Lundoris. Secretarius. Thesaurarius. Computorum Rotulator. Clericus Registri. Clericus Justiciarie. Magister Jacobus Balfour. Advocatus.

Kynneir. Maxwell.

Anent oure Soverane Ladiis lettres purchest be Johnne Kynneir of that Ilk, makand mentioun that quhair he hes the landis of the Preistoun of

[1] Actum inter Gresilidam Hendersoun et Jonetam Dik sponsam Joannis Hammiltoun hic omissum reperietur postea in fine mensis Martii ad hoc signum +

Teilling, pertening to him in tak and assedatioun for diverse yeris and termis as yit to ryn, lyke as he and his predecessouris hes bene in possessioun of the samyn thir mony yeris bigane, and hes evir payit the males and dewiteis of the same; nevirtheles Alexander Maxwell of Teling hes purchest ane pretendit few of the said Johnne Kynneiris rowme foirsaid owir his heid fra Maistir David Spens, archedene of Dunkeld, and intendis to get the samyn confirmit, lyke as at mair lenth is contenit in the saidis lettres; and anent the charge gevin to the saidis Alexander Maxwell and Maistir David Spens to compeir befoir oure Soveranis and Lordis of thair Secreit Counsall at ane certane day bigane, bringand with thame the said Alexanderis pretendit infeftment and utheris thair rychtis, to be sene and considderit be the saidis Lordis, and to heir and se it be decernit quhether the said pretendit infeftment of law, equitie, conscience, and ressoun aucht to be confirmit or nocht. All the saidis partiis comperand personalie, the Lordis of Secreit Counsall continewis the said mater in the samyn forme, force, and effect as it is now, but prejudice of partie, quhill the first day of Maii nix to cum, and ordanis the inhibitioun to the Thesaurare his register, and Keparis of the signet, previe seill and greit seill, twicheing the staying of the confirmatioun of the said infeftment to tak place, force, and effect, as of befoir quhill the finall resolutioun be takin quhethir the said pretendit infeftment sould be confirmit or nocht, all the saidis partiis warnit heirto apud acta.

Ker. Turnbull.

At Edinburgh, xxvii day of Januare, the yeir of God j^{m}v^{c} thre scoir fyve yeris, the Lordis of Secreit Counsall underwrittin, thay are to say; Schir Johnne Bellenden of Auchnowle Knycht Justice Clerk, Symoun Prestoun of that Ilk provest of Edinburgh, Maistir Robert Richertsoun Commendatare of Sanct Marie Ile Thesaurare to our Soveranis, and Maistir Johnne Leslie Commendatare of Lundoris; unto quhome the decisioun of the debetabill materis standing betuix William Turnbull, burges of Edinburgh, on the ane part, and Robert Ker of Wodheid, wes committit be the haill Lordis of Secreit Counsall convenit in Counsall for the tyme, and unto quhais jugement the saidis partiis submittit thame, as ane act and ordinance of Counsall maid thairupoun of the dait the xvii day of Januare instant at mair lenth proportis,—having at gude lenth and with mature deliberatioun considderit the said Williame Turnbullis complaint and clame, the said Robert Kerris answeris maid thairto, and all utheris thair rychtis, ressonis, and allegationis; decernis, decretis, pronuncis, and deliveris as followis, viz.:—That the said Robert Ker hes obtemperit and obeyit the decreit and lettres in the four formes obtenit aganis him befoir the Lordis of Counsall and Sessioun be the Commendatare of Jedburgh, decerning the said Robert to desist and ceis fra four husband landis, thre cotlandis, and ane half cotland, liand in the toun of Ovir Ancrum, becaus the said Robert fand Williame Lord Hay of Yestir souertie for his desisting and ceising thairfra, undir diverse panis, quha being callit befoir the Lordis of Counsall, to heir him decernit to haif contravenit the said decreit and

lettres, obtenit thair decreit absolvitour. And als decernis and ordanis the said Robert to content and pay to the said Williame the soum of four scoir aucht pundis vi ß. viii ₰., contenit in ane decreit of the saidis Lordis of Counsall, gevin and pronuncit aganis the said Robert at his instance for certane byrun proffittis of the saidis landis, as the said decreit, of the dait the xiiii day of Februare, the yeir of God j^{m}v^{c}lix yeris, at mair lenth beris, befoir the said Robertis departing furth of the burgh of Edinburgh. And quhair it wes allegeit that the said Robert, for non desisting fra the saidis landis, wes denuncit to the horne, and remanit thairat sex yeris, and obtenit the gift of his awin escheit for deforceing of ane officiar, the saidis Lordis findis that the said Robert hes obtenit him self relaxt of the said proces of horne, and hes alswa obtenit remit and discharge of the said deforcement. And quhair in the said Williames clame it is allegit that Johnne Hold is denuncit rebell as succedand in the said Robert Kerris vyce for non desisting fra the saidis landis, and that the saidis Williame hes obtenit the gift of the said Johnnes escheit,—the saidis Lordis findis that the said Williame hes actioun for the same escheit aganis the said Johnne Hold, and ordanis him to persew thairfoir be ordour of justice as efferis. And als ordanis him to persew and seik executioun of the decretis obtenit be him aganis the said Johnne Hold and Thomas Ker of Pharnyhirst Knycht, as cautionar and souertie for him, for four yeris proffittis of the saidis landis, extending be calculatioun to thre hundrith fiftie thre pundis vi ß. viii ₰., and to caus poind thair landis and gudis thairfoir according to justice. And quhair as the Sheref of Roxburgh is allegit to be put to the horne for nocht putting of the said William his servandis and tenentis, in possessioun of the foirsaidis landis, and for dissobeying thairof, is denuncit rebell, the saidis Lordis undirstandis the said Sheref sould answer him self for his awin deid; and ordanis the said William to persew him thairfoir as law will. And finalie decernis and ordanis the said Robert, be himself and all that he may let, to desist and ceise fra all further occupatioun, laubouring, or manuring of the saidis landis, or ony part thairof, and fra all stop, troubill, or impediment making to the said Williame, his tenentis and servandis, in his name, in the peciabill laubouring, brouking, and manuring of the saidis landis in tyme cuming; and ordanis lettres to be direct heirupoun gif neid be, in forme as efferis.

Apud Edinburgh, xxix Januarii, anno, etc. lxv.

Sederunt. Matheus Comes de Levenax. Jacobus Comes de Mortoun. Georgius Comes de Huntly. Jacobus Comes de Bothwell. Joannes Comes de Atholl. Willelmus Comes de Marschell. Georgius Comes de Caithnes. Secretarius. Thesaurarius. Clericus Registri.

Davidsonis. In presence of the Lordis of Secreit Counsall comperit Robert Davidsoun of Semestoun, and thair for him self, and his kin freindis surname assistaris and partakaris that will do for him or quhome he may let, upoun his

honestie trewth and fayth hes assurit and presentlie assuris Williame Davidsoun in Marchecleuch, and Robert Davidsoun his bruther, thair freindis assistaris and partakaris, to be unhurt unharmit unmolestit untroublit, or in ony wayis persewit in bodiis or gudis quhill the xiiii day of Appryle nix to cum; and the said Robert Davidsoun of Semestoun hes promittit and undirtane to gif advertisement to the said Williame Davidsoun in Marchecleuch, for quhilkis personis of his surname and freindis he is nocht abill to tak the burding for and may nocht let, within sex dayis eftir his cuming to Teviotdaill; provyding alwayis that the said Williame during the said space cum nocht within the boundis of Teviotdaill, be south wattir of Teviot, nor yit in the toun of Kelso; and als sall mak and caus offeris be maid and presentit to the said Robert and his freindis for the slauchtir of George Davidsoun in Marchecleuch; and the said Robert sall do his exact diligence to mak his freindis—sic as will do for him—accept the saidis offeris and aggre a finall reconsiliatioun; or at leist sall, upoun the said xiiii day of Appryle, compeir agane befoir the King and Quenis Majesteis and thair Secreit Counsall at Edinburgh, or quhair it sall happin thame to be for the tyme, and answer upoun his diligence done in this behalf.

Cesfurd. Pharnyhirst. Hunthill.

Anent the debait and contraversie standing betuix Sir Waltir Ker of Cesfurd Knycht, Wardane of the Middill Marchis of this realme, on the ane part; and Sir Thomas Ker of Pharnyhirst Knycht and Johnne Rutherfurde of Hunthill, on the uther part; anent the releving of Thomas Ker, servand to the said Sir Waltir, quha deliverit him to the Wardane of the Est Marchis of Ingland for the bill of Newtoun, and Johnne Scottis bill of Vowlar, fylit upoun diverse servandis of the saidis Lardis of Pharnyhirst and Hunthill, conforme to ane act maid upoun the xxv day of November last bipast. Bayth the saidis partiis ressonis and allegationis being hard and undirstand to the Lordis of Secreit Counsall, and thai ryplie avysit thairwith; the Lordis of Secreit Counsall findis that the said Sir Thomas Ker and Johnne Rutherfurde hes nocht fulfillit the command and ordinance of the said act maid the said xxv day of November; and nochtwithstanding promittis and gevis libertie to the said Johnne Rutherfurde and Robert Ker of Wodheid, wardit within the burgh of Edinburgh, as souertie for the said Lard of Pharnyhirst, to pas home to thair dwelling places, and relevis thame of thair said warding quhill the xvi day of Februare nix to cum; and in the menetyme, ordanis thame to crave and require Rolland Forester, wardane depute of the Eist Marches of Ingland, for delivering of the said Thomas Ker, and sall do thair exact diligence to get him fred, relevit, and brocht hame furth of Ingland; and, upoun the xvi day of Februare foirsaid, sall agane compeir befoir the saidis Lordis, and answer upoun thair diligence done in this behalf; for how lang that evir the said Thomas remanit in Ingland unfred or put to libertie. The saidis Lordis adverteist the said Robert Ker and the said Johnne Rutherfurde, that he and the said Lard of Pharnyhirst wald be haldin to pay the said Thomas expenssis.

Apud Edinburgh, penultimo Januarii, anno Domini j^{m}v^{c} sexagesimo sexto.

Glenurquhy. The quhilk day, Colene Campbell of Glenurquhy is becum actit and obleist that he nor nane of his tenentis of the landis of Braidalbane, on na wayis sall carie nor transport ony kynd of victualis or uther furnissing to Ergyle, Lorne, or Glenurquhy at ony tyme heireftir, sa lang as the King and Quenis Majesteis ar nocht content with the inhabitantis of the saidis cuntreis; and in caise ony of the said Colenis tenentis of his landis of Braidalbane abone writtin dois in the contrair, the said Colene obleissis him to bring and present the committaris befoir thair Hienessis and Lordis of thair Secreit Counsall at sic tyme as he salbe requirit thairto, ilk persoun undir the pane of ane hundrith pundis.

Apud Edinburgh, ultimo Januarii, anno, etc. lxv.

Sederunt. Jacobus Comes de Mortoun. Georgius Comes de Huntly. Jacobus Comes de Bothwell. Joannes Comes de Atholl. Willelmus Comes de Marschell. Georgius Comes de Caithnes. Joannes Comes de Mar. Secretarius. Thesaurarius. Clericus Registri. Clericus Justiciarie. Advocatus. Episcopus Galloway. Joannes Commendatarius de Lundoris. Magister Jacobus Balfour.

Erl of Cathnes. Hectoursonis. Anent the complaint presentit upoun the behalf of Williame Hectorsoun alias Sutherland in Berydaill, Angus Hectorsoun in Myllarie, Alexander Sutherland in Suffister, Williame Sutherland in Brobster, youngar, and Alexander Murquhosoun in Kilmuster; makand mentioun, that quhair it is nocht unknawin to the King and Quenis Majesteis how the saidis complenaris, thair kin freindis and servandis, ar maist extremelie handillit be George Erle of Caithnes, intending be vertew of the commissioun purchest and impetrat be him undir pretence and cullour of justice to put thame to distructioun; nochtwithstanding the crewell slauchtir of Robert Sutherland, and mutilatioun of Williame Sutherland in Lathrinfulye of his left hand, thair freindis and kynnismen, committit be the freindis, tenentis, and servandis of the said Erll upoun the xxviii day of Maii last bipast, of his onelie causing, sending, command, hunting, assistance and ratihabitioun; and dalie and continewalie sensyne, be his fortificatioun, hes interteneit, haldin, resset the committaris of the said slauchtir, quhairanent the saidis complenaris hes oft and diverse tymes menit thame to oure saidis Soveranis and Lordis of thair Secreit Counsall; and be thair last deliverance wes ordanit to haif lettres for chargeing of the said Erle, to compeir befoir thair Majesteis and Counsall at ane certane day bigane, to heir and se ane exemptioun gevin and grantit to the saidis complenaris, exemand thame, thair kin freindis servandis tenentis allya and partakaris fra the said Erle, his office and jurisdictioun for all crymes in generall, becaus souertie wes fand be thame at command of thair Majesteis to the Justice Clerk and his deputtis, that the saidis complenaris, to that effect,

sould undirly the law befoir the Justice, the thrid day of the nixt justice air of Invernes, or sonar, quhen or quhair it sould pleis thair Majesteis, upoun xv dayis warning, undir greit panis contenit in the said act of adjornall maid thairupoun; and becaus evill weddir, the tyme of the saidis complenaris comperance foirsaid, happynnit in the cuntre; and throw greit tempest and profound watteris, the beraris of thair lettres mycht na wyise get passage nor expeditioun, quhairthrow it lay nocht in thair defalt, bot diligence eftir thair power wes maid be thame to haif kepit the said day; and heirfoir sen the said Erle is na wyise competent juge to thame anentis ony crymes, in respect of the deidlie feid and inymitie foirsaid standing betuix thame as yit unrecounsalit, thay aucht and sould be in maner foirsaid exemit fra him, his office and jurisdictioun foirsaid, in tyme cuming simpliciter, lyke as at mair lenth is contenit in the said complaint; and the said Erle being chargeit to compeir befoir oure saidis Soveranis and Lordis of thair Secreit Counsall at ane certane day bigane to answer to the said complaint, comperit personalie, and the saidis personis complenaris in quhais name the said complaint wes presentit being oftymes callit and nocht comperit, nowther be thame selffis, nor ony utheris sufficientlie auctorizit be thame, diverse dayis abiddin upoun thair comperance; the Lordis of Secreit Counsall having considderit the said complaint and circumstances thairof, findis na sufficient caus mentionat thairin quhairfoir the saidis exemptioun sould be grantit; and thairfoir remittis the saidis complenaris to the jugement and jurisdictioun of the said Erll, Justice foirsaid, quhome thair Hienessis ordanis and commandis to do justice upoun thame according to his commissioun, as he will answer to God and thair Hienessis thairupoun.

Apud Edinburgh, nono die mensis Februarii, anno Domini millesimo quingentesimo sexagesimo sexto.

Sederunt. Matheus Comes de Lenox. Georgius Comes de Huntly. Jacobus Comes de Bothwell. Joannes Atholie Comes. Willelmus Comes de Marschell. Gilbertus Comes de Cassillis. Georgius Comes de Caithnes. Joannes Comes de Mar. Alexander Episcopus Candide Case. Secretarius. Magister Jacobus Balfour.

Wynis.

Forsamekill as thir diverse yeris bigane the marchantis and utheris liegis of this realme travelland to France, hes brocht hame wynis in greit quantitie, and sauld the same at thair plesour without ony maner of ordour, bot fra yeir to yeir hes continewalie hychtit and rasit the pryces, that now the wynis ar cum to sa unressonabill a derth that be the traffique thairof the commoun weill is gritlie dampnagit; and without sum guid ordour be appointit anent the selling and bying of thame, bayth in greit and small, the abuse and confusioun is lyke to grow incurabill. And albeit in the regnne of the Kingis grace of worthie memorie that last deceist, a guid law and Act of Parliament wes set furth for eschewing of

the derth of wyne, salt, and tymmer.[1] And that alswa diverse actis of Previe Counsall hes bene maid thir yeris bigane, and namelie the last yeir, provydand specialie that in caise the said Act or ordinance wer contravenit, the Provestis and baillies of the burrowis and townis quhair the contravenaris dwelt sould be callit to undirly the law at particular dyettis, and puneist thairfoir as thoch thai transgressit the samyn thame selffis, with all extremitie and regour; yit sic hes bene be the craft and subtillitie of the traffiquaris of the saidis wynis, and the negligence and oursycht of the magistrattis and officiaris quhilk sould haif sene the saidis actis put to executioun, that nochtwithstanding the same, the transgressouris thairof hes nocht bene puneist, bot the said abuse hes still continewit without amendiment. Quhairfoir the King and Quenis Majesteis, attending to the meaning of the said Act of Parliament, quhilk cheiflie is for eschewing of derth, and considdering that nane of the Provestis and Baillies of the burrowis, townis, and portis of this realme, hes trewlie done thair dewitie and diligence according to the said Act, swa that thair Hienessis and Lordships ar constranit to tak upoun thame selffis the cair and travell to put ordour anent the pryces of the saidis wynis, eftir trew inquisitioun and knawlege gottin how wynis this instant yeir hes bene coft and may be sauld. Thair Majesteis, with avyise of the Lordis of thair Secreit Counsall, ordanis lettres to be direct to officiaris of armes, chargeing thame to pas to the marcat croces of all burrowis of this realme and utheris portis quhair wynis arryvis, and thair, be oppin proclamatioun in thair Hienessis name and auctoritie, command and charge all and sindry thair Majesteis liegis, and strangearis quhatsumevir, quhilkis hes brocht, or sal happin to bring, ony wynis within this realme this instant yeir, that thai, on na wayis, sell ony part or portioun of the samyn wynis eftir the landing thairof or of befoir, in greit or small, unto the tyme thair Hienessis, the prelattis, erlis, lordis, and baronis be first stakit of thair necessaris thairof, to the sustentatioun of thair Hienessis allanerlie; and that it remane within schip or sellarit to that effect for the space of four dayis befoir ony part of the samyn be sauld or disponit; and that wynis this instant yeir, be na derar sauld within this realme, nowther in Regalitie or Rialtie, be vertew of ony allegit privilege or utherwayis bot at the eist seyis, the tun of Burdeaulx wyne at xxxvi ℔., the tun of Scherand wyne at xxxii ℔., the pynt of Burdeaulx wyne xvi ₰., the pynt of Scherand wyne xiiii ₰.; and at the west seyis, the tun of Burdeaulx wyne to be na derare sauld nor xxxii ℔., the tun of Scherand wyne xxviii ℔., the pynt of Burdeaulx wyne xiiii ₰., the pynt of Scherand wyne xii ₰., undir the pane of escheting of the wynis quhilkis salbe utherwayis sauld hereftir, and all the remanent of the gudis, geir, bayth of the byaris and sellaris of the same in greit or small to thair Hienessis use, and warding of thair personis at oure Soveranis will and plesour. And at the entre of schippis with wynis in the townis bukis, that the clerk of the toun tak sufficient cautioun and

[1] 1540 c. 19, "For stanching of derth, and pryces of wyne, salt, and tymmer."—Act. Parl. Scot., ii. 373.

souertie, that the haill wynis being within the schip sall remane undisponit or scatterit for the said space of four dayis, and failyeing thairof, that the said maistir, or awnar and thair souertie, be haldin to answer for it that sal happin to be abstractit and put away in the menetyme; and that the Provestis and Baillies of all burrowis cieteis townis and portis, Shereffis, Stewartis, Baillies, and Lordis of regaliteis thair baillies, to landwart quhair ony wynis arryvis, mak the sellaris houssis and schippis within thair townis and jurisdictionis patent to the saidis prelattis, erlis, lordis, and baronis, to the effect that thai may be sufficientlie furneist of wynis to the sustentatioun of thair houssis as said is allanerlie upoun the pryces abonewrittin at the derrest; and that thai mak this present Act and ordinance to be inviolabillie observit in all conditionis within thair awin jurisdictionis respective. And to that effect, that with all gudlie diligence eftir the publicatioun of this present Act and ordinance, thai appoint and depute certane sercheouris and inquisitouris within everie burgh citie toun port and place quhair wyne arryvis and is bocht or sauld, alsweill within Regalitie as Rialtie, efferand to the quantitie of the toun, and in speciall within Edinburgh, xvi personis, viz., four in ilk quarter, quhilkis salbe sworne to do thair uttir and exact diligence to get knawlege of the contravenaris of the said act fra tyme to tyme; and everie Settirday at thre houris eftir none, that the saidis sercheouris and inquisitouris compeir in the tolbuith of the burgh or appointit place be the juge of the jurisdictioun quhatsumevir, and thair delait and gif up the names of the saidis contravenaris, alsweill byaris as sellaris, in greit or small quantitie; and incontinent, eftir the said delatioun, that the haill gudis of the delatit personis be fensit and arreistit at oure Soveranis instance, and inventour maid thairof, and the personis contravenaris to be callit upoun sex dayis warning befoir the saidis Provestis and Baillies within burrowis, citeis, and townis, and befoir the saidis Shereffis Stewartis Baillies Lordis of regaliteis and thair baillies to landwart, to heir thame decernit to haif contravenit the said act and tennour thairof; and thairfoir all thair movabill gudis to becum in oure Soveranis handis, and to pertene to thair Hienessis as escheit, and thair personis to be wardit during thair Majesteis will. And for probatioun of the contraventioun, that certane famous witnessis be producit aganis thame at the discretioun of the juge, and thai being fund culpabill, and to haif contravenit the said act and ordinance, that thair personis be committit to ward, thair to remane during thair Majesteis will, and all thair gudis movabill to be intromettit with, uptakin and inbrocht to thair Hienessis use; of the quhilkis escheit gudis, the saidis jugeis respective, salbe haldin to mak compt rekning and payment to oure Soveranis Thesaurare yeirlie, and to answer upoun thair diligence done in the executioun of this present act and ordinance befoir the Lordis auditouris of thair Hienessis Chekker; and being fund negligent thairin be the saidis Lordis, the saidis Provestis, Baillies, and utheris ordinar jugeis abonewrittin, to be decernit and condampnit to pay of thair awin gudis all escheit gudis of the contravenaris of this present act within thair jurisdictionis respective, neglectit and

ouresene, untakin up in thair defalt, and the personis of the saidis Provestis and Baillies, and utheris ordinar jugeis and officiaris abonewrittin, to be put in ward during thair Hienessis will and plesour.

Thesaurair. Halket. Moubra.

The quhilk day, anent oure Soveranis Lord and Ladiis lettres purchest be David Halkheid, sone and air of umquhile Henrie Halkheid, quha wes sone and air of umqhile Adame Halkheid, guidsire to the said David, quha wes slane at the Feild of Flowdoun; makand mentioun, that quhair his said umquhile guidsire had the tyme of his deceise and lang of befoir the rycht titill kyndnes and possessioun of the landis of Petlevir and Braidley, with the myln and multuris of the samyn, liand within the lordschip and regalitie of Dunfermling; and eftir his deceise be vertew of ane act maid in favouris of the wyff and barnis of thame quha wes slane at the said Feild, umquhile Helene Masoun, his relict, obtenit rycht and possessioun of the saidis landis and myln unto hir deceise, quhilk wes in the yeir of God $j^{m}v^{c}xxxvii$ yeris, or thairby; in the quhilk yeir, the said umquhile Henrie, fadir to the said David, as air to his said umquhile gudsire, havand than fyve yeris takkis to ryn, obtenit ane new tak and rentall thairof, subscrivit be the Pryour and haill convent of the place of Dunfermling, as the samyn rentall, with ane instrument and supplicatioun direct be umquhile the Kingis Grace that last deceist berand the caus of the obtening thairof, togidder with diverse preceptis of warning direct for entering of the said Davidis umquhile fadir to the possessioun thairof—to schaw beris. Nochtwithstanding the quhilk, umquhile Charles Danielstoun, spous to his said umquhile gudame, immediatlie eftir hir deceise beand than in possessioun of the saidis landis, wranguslie retenit and kepit his possessioun thairof, and wald nocht suffir the said Davidis umquhile fadir entir thairto and brouke the samyn, conforme to his titillis foirsaidis; lyke as Kathrene Halkheid, his relict, as yit broukis and occupiis the same be quhat titill of rycht the said David knawis nocht; and swa he, as nerrest and lauchfull air to his said umquhile gudsire and fadir, havand bayth sufficient and eldest rycht titill and possessioun of the saidis landis and myln, is wranguslie debarrit thairfra in the minoriteis of his said umquhile fadir and him. And now the Commendatare of the said abbay and our Soveranis Thesaurare ar in mynd and purpois to set the haill landis and lordschip thairof to the maist kyndlie tenentis of the same; and specialie as the said David is informit is of mynd to set the saidis landis and myln, his kyndlie rowmes, to the said Kathrene Halkheid, and the thre dochteris gottin betuix hir and the said Charles, and thairthrow to debar him fra his rycht and kyndlie rowmes without remeid be provydit thairto be oure Soveranis and Lordis of thair Secreit Counsall. And anent the charge gevin to Robert Commendatare of Dunfermling, Patrik Halkheid of Petferane, the said Kathrene Halkheid relict, Elizabeth Danielstoun, Jane Danielstoun, and Margaret Danielstoun, dochteris of the said umquhile Charles, James Mowbray spous to the said Elizabeth, Robert Fraser spous to the said Margaret,—for thair interessis, to compeir

befoir oure saidis Soveranis and Lordis of thair Secreit Counsall at ane certane day bigane, to heir and se ordour takin anent the said complaint as accordit,—the said David Halkheid, Kathrene Halkheid and hir thre dochteris foirsaidis, and thair spoussis abonewrittin for thair interessis; and the said Patrik Halkheid of Petferrane—comperand all personalie, and the said Robert Commendatare of Dunfermling being oftymes callit and nocht comperand—the rychtis, ressonis, and allegationis of the personis comperand being send, sene, and undirstand to the saidis Lordis, and thai ryplie avysit thairwith. The Lordis of Secreit Counsall findis that the said Kathrene Halkheid as relict, and the saidis Elizabeth, Jane, and Margaret Danielstonis dochteris and airis of the said umquhile Charles and thair spoussis abonespecifiit, respective for thair interesse, hes best kyndnes to the saidis landis of Petlevir and Braidley, with the myln and multures of the same; and thairfoir assoilzeis thame fra the said complaint and petitioun of the said David Halkheid, and fra the desyre of Patrik Halkheid of Petferrane, in name of George Halkheid his sone, pretendand kyndnes to the saidis landis be ane pretendit tak and assedatioun quhilk nevir yit tuke effect; and according to the universall ordour takin be oure Soverane for the eise of the kyndlie possessouris throw all the leving and lordschip of Dunfermling, willis and requiris the said Maistir Robert Richertsoun to resign the samyn landis and myln, in favouris of the said Kathrene Halkheid during hir liftyme, and of the said Elizabeth Danielstoun, eldest of the saidis dochteris, and James Mowbray hir spous, for his interes in fewferme heretabillie; and siclike requiris the said Commendatare of Dunfermling to ressave thame as tenentis, thay payand sic ressonabill compositioun thairfoir, as use is to be payit for samekill of the lyke land within the lordschip of Dunfermling, and als satisfiand the saidis utheris twa sisteris and thair spoussis for thair kyndnes and titill of the samyn landis and myln as efferis, becaus the said Elizabeth Halkheid allegeit that hir said umquhile husband and schö had broukit the saidis landis, and bene continewalie rentalit thairin fra tyme to tyme be the space of fiftie yeris bigane, or thairby; and ane terme being assignit to hir for probatioun thairof, schö producit the saidis rentallis attentiklie, and previt the said allegeance sufficientlie as efferit, as wes cleirlie undirstand to the saidis Lordis.

Apud Edinburgh, xii die mensis Februarii, anno, etc. lxv.

Sederunt. Domini ut in die predicto.

Anent the complaint maid be Barnard Byre, Ducheman, makand mentioun that quhair he, as procuratour to Bonaventure Bodeker and Jacob Conradt, hes remanit within this realme, in suiting and recovering of certane gudis takin in piracie be Peris de Freris, Frencheman—inbrocht to the Brintiland, intromettit with first be oure Soveranis Lord and Ladiis Thesaurare, and thaireftir put in the handis of Robert Ker and David Forester, burgessis of Edinburgh,—to be furthcumand to the awnaris thairof; of the quhilkis Bernard Byre.

the said Barnard, as procuratour foirsaid, hes ressavit ane greit part be thair Majesteis ordinance, lyke as Thomas Patirsoun, procuratour for Martine Vanboule, hes ressavit ane uther part thairof; and yit restis in the saidis Robert and David Foresteris handis of the samyn, thir gudis following, viz., xiii lesert skynnis, ane half stik of say, four half stekis of lynning Holand clayth, xi mailye coittis, thre stekis of cammerage, ane lytill culvering, ane pund of peppir, ane half pund of ginger, ane lytill reid wyliecoit, lxxxxvi stringis to hattis, ten elnis and ane half of grene clayth, all of small avail, pertening to the said Bonaventure and Jax Conradt, Duche merchantis foirsaidis; quhilkis gudis oure saidis Soveranis commandit the saidis Robert Ker and David Forester to keip quhill cautioun wer fund, to warrand and keip skaythles thair Majesteis, this realme and liegis thairof at all handis; and the haill avale and price of the saidis gudis restand in thair handis is nocht sufficient to mak the expenssis upoun ane certificatioun and souertie, to be brocht furth of the toun of Handwerpe for thair Hienessis releif foirsaid. And sen it is of trewth that the samyn wes sleuthfullie left furth of the procurationis and certificationis producit befoir thair Majesteis and Lordis of thair Secreit Counsall, and is content to find souertie actit in the bukis thairof, to releif and keip thair Hienessis, thair realme and liegis, skaythles at all handis thairof; nochttheles, the saidis Robert and David refuissis to deliver the samyn to the said Barnard as procuratour foirsaid. The Lordis of Secreit Counsall, eftir consideratioun of the caise, ordanis the said Barnard to find sufficient cautioun and souertie, to releif and keip the King and Quenis Majesteis, thair realme, the saidis Robert Ker and David Forester, souerteis foirsaidis, skaythles of the saidis gudis at all handis havand interes quhatsumevir; and the said souertie being fundin, ordanis the saidis Robert and David, to deliver the saidis gudis to the said Barnard, takand his acquittance upoun the ressait thairof, quhilk salbe sufficient warrand to thame, and that lettres be direct heirupoun, gif neid be, in forme as efferis.

The quhilk day, Johnne Loch, burges of Edinburgh, become cautionar and souertie to releif and keip the King and Quenis Majesteis, thair realme, and als Robert Ker and David Forester, burgessis of Edinburgh, skaythles of the gudis abonewrittin, at all handis havand interesse quhatsumevir; and James Cranstoun and James Abirnethy, burges of the said burgh, become souerteis conjunctlie and severalie, to freith, releif, and keip the said Loch Johnne skaythles of the said cautioun, and all pane and danger that he may sustene thairthrow.

Grahame and utheris Merchan[tis.]

Anent the complaint maid be Richert Thomsoun, burges of Edinburgh, Williame Ker thair, Andro Dowglas thair, Donald Campbell thair, James Nicholl thair, Johnne Harwod thair, Williame Lyndesay thair, Johnne Finlaysoun thair, Williame Ker eldar thair, Robert McMillane thair, Robert Galbrayth thair, Patrik Cranstoun thair, James Borthuik, Johnne Flemyng, Thomas Todden, Gilbert Elwand thair, Robert Lowne thair, James Mure,

Johnne Mortoun thair, David Corsbie thair, Johnne Hog thair, James Marjoribankis thair, Luke Wilsoun thair, Williame M°Morane thair, Johnne Pacok thair, Thomas Kennedie thair, Johnne Aikman thair, Alexander Russell thair, David Hume thair, Adame Scot thair, Patrik Porteous thair, Johnne Weir thair, Johnne Johnnestoun thair, Andro Robertsoun thair, James Wilsoun thair, Williame Ramsay thair, Robert Rankene thair, Johnne Campbell thair, Andro Stevinsoun thair, Archibald Grahame thair, Nicholl Murry thair, Williame Makmorame thair, Johnne Callendar thair, and James ; makand mentioun that quhair thai and thair collegis obtenit ane decreit befoir the juge of the admiralitie of Ingland, aganis certane inhabitantis of the cuntre of Northumberland, for the spoliatioun of thair schip and gudis at the coist of Northumberland, in the moneth of November, the yeir of God j^{m}v^{c} and lix yeris, decerning thame to content and pay the soum of xxiii^{c} ℔. stirling; quha thaireftir appelit to the Lord Chancellar, and thair of new consumand diverse yeris in pley, the saidis complenaris obtenit decreit according to the first; and eftir that thai had be a lang tyme socht executioun thairof, and thairupoun spendit the soum of xxv^{c} ℔. Scottis, extending to the grittest part of thair gudis; yit irkit of sa lang pley thai componit for the haill soum contenit in the decreit, and in place of the said xxiii^{c} ℔. wer contentit to ressave xii^{c} ℔.; for payment, quhairof the Duke of Norphok and the Erle of Pamburgh become cautionaris to haif bene payit at Martimes begane ane yeir. And althoch the saidis complenaris, be thair procuratour, hes continewalie awaytit for payment thairof sensyne, yit can thai get na payment of the samyn, bot onelie iiii^{c} ℔., nor yit haif thai ony espirance to recovir the rest, having alreddie ressavit sic drift that the persute and expenssis maid thairon is mair costlie to thame, nor evir thai ar abill to ressave by the tinsall of the principall. And the King and Quenis Majesteis seing thair subjectis this handillit, it wes meit and convenient that the liegis of Ingland having the elyke caissis in hand within this realme be sembillabillie usit, and sic sowmes as thai haif recoverit, may be arreistit quhill the saidis complenaris be first payit of that quhilk thai first obtenit in Ingland. And trew it is that thair restis in the handis of the Maistir of Maxwell, or of Alexander Stewart of Dalswentoun Knycht, and Johnne Dunbar of Mochrum Knycht, cautionaris for certane inhabitantis of Galloway, the soum of iiii^{c} ℔. stirling, quhilk be transactioun thai ar detbund to pay to certane Inglismen, marchantis of the townis of Carmerthen, Havirfurd West, and West Chestir; quhairupoun the saidis complenaris menit thame to the King and Quenis Majesteis of befoir and obtenit lettres, and thairby causit fense and arreist the said soum of iiii^{c} ℔. sterling, at thair instance in the handis of the said Maistir of Maxwell and cautionaris, and inhibit thame of all delivering thairof to the saidis Inglismen, ay and quhill payment be maid to the saidis complenaris of the soum abonewrittin, recoverit be thame in Ingland according to equitie and justice, lyke as at mair lenth is contenit in the saidis lettres and executioun thairof; quhilkis being execute, the copy thairof is cum in the handis of the Inglismen, in favouris of quhome the

said decreit wes gevin be the said Maistir of Maxwell; and thai findand thair money heir arreistit at the saidis complenaris instance, hes, as thai ar suirlie adverteist, presentit the samyn copy to the Counsall of Ingland, and obtenit arreistment and sequestratioun of the money foirsaid restand to the saidis complenaris in maner abonewrittin, quhill thai be payit of sa mekill as restis within this realme; and swa of equitie and guid conscience the said soum restand in the handis of the said Maistir of Maxwell and cautionaris abonewrittin, sould, without delay, be deliverit to the saidis complenaris. The King and Quenis Majesteis, eftir considderatioun of the said complaint, with the avyise of the Lordis of thair Secreit Counsall, ordanis and commandis the said Sir Johnne Maxwell to put his decreit and commandimentis gevin be the King and Quenis Majesteis towart the payment of the said soum to executioun in all pointis; and to uptak and inbring the said soum and present it befoir thair Hienessis Counsall, quhilk being presentit and deliverit, that the samyn soum remane with the Counsall, and in the handis quhome thai sall appoint quhill thai tak finall ordour anent the same, and to quhome of ressoun it aucht to be deliverit as appertenis, etc.

Lindsay. Carrutheris.

Anent the complaint maid be Johnne Carrutheris of Holmendis, makand mentioun that quhair he and his predecessouris, be thameselffis and thair subtenentis in thair names, hes peciabillie broukit and josit the landis of Mekill Daltoun, with the myln thairof and thair pertinentis, liand in the stewartrie of Annandirdaill, within the sherefdome of Drumfreis, as native and kyndlie tenentis of the same past memor of man, and gat the samyn landis annaliit of Gilbert Greirsoun of Daltoun; lyke as alswa thai haif had the kirk of Mekill Daltoun in tak be the space of xl yeris bigane; nevirtheles, James Lindesay of Barcloy, and Maistir James Lindesay burges of Edinburgh his fadir bruther, having sauld thair awin landis and heretage with the money thairof owir the said Johnnes heid, hes coft the landis of Daltoun foirsaid, quhilk is his kyndlie rowme; and nocht content with the accustumat dewitie of the saidis landis, hes warnit him, his sonnis and servandis, to remove thairfra at this last Witsonday, and laitlie summond thame to compeir befoir the Lordis of Sessioun, to heir thame decernit violent possessouris, mynding without forder respect or considderatioun, to remove thame bayth fra the saidis landis and kirk, aganis equitie, conscience, and the lovabill custum of the cuntre, in sa far as the saidis landis lyis within sex mylis to the Bordour of Ingland, and the said Johnne Carrutheris and the inhabitantis of the saidis landis subject to continewall service, and to sustene hors and geir for defence of the realme, quhairunto the inhabitantis of the in cuntre ar nocht so dalie astrictit; and in defence of the same landis and boundis adjacent to the same, within thir few yeris bipast, the said Johnne had his sone slane and xxviii of his principall freindis; and gif the King and Quenis Majesteis and Lordis of thair Secreit Counsall sall permit this preparative of removing of kyndlie tenentis to cum in the Bordouris, it salbe far aganis the commounweill. And

anent the charge gevin to the said James Lyndesay and Maistir James, to compeir befoir thair Majesteis and Lordis of thair Secreit Counsall at ane certane day bigane, to answer to the said complaint, the said Johnne Carrutheris comperand be George Carrutheris his sone and apperand air, and the saidis James Lindesay and Maistir James comperand bayth personalie, thair ressonis and allegationis being hard, sene, and undirstand to the Lordis of Secreit Counsall, and thai ryplie avysit thairwith; the Lordis of Secreit Counsall, of the speciall consent of the said James Lindesay, ordanis him to set ane Court of Kyndnes upoun the ground of the saidis landis, betuix the dait heirof and the feist of Witsonday nix to cum, quhilk he undirtuke and promeist to do. And gif the said Lard of Holmendis or his sonnis salbe fund kyndlie to the said xx ĥ. land, and to the takkis and possessioun of the said kirk or ony part thairof, the said James is content to mak na persute aganis thame thairfoir, bot to suffir thame brouke that quhilk thai sould be fund kyndlie unto, as thair kyndlie stedingis and possessionis in tyme cuming; and als of bayth the saidis partiis consent, ordanis all actioun and proces of removing or violence intentit and dependand befoir the Lordis of Sessioun at the instance of the said James Lindesay aganis the said Johnne Carrutheris, his sonnis, or the inhabitantis of the said xx ĥ. land, to ceise and na wyise to proceed quhill the said court of kyndnes be haldin, and thair Kyndnes to the saidis landis and kirk be tryit as said is. And als the said George Carrutheris, of his awin consent, for himself, and takand the burding upoun him for his fadir and brether, is ordanit be the saidis Lordis, to desist and ceise fra all melling or intromissioun with the toun of Daltoun, or troubling of the tenentis thairof, quhill the said court be haldin, and the said kyndnes tryit and decernit in maner foirsaid; provyding that it be lesum to all personis to clame kyndnes that hes interest, and that kyndnes be kepit to thame quhilk salbe fund maist kyndlie; and gif the said court may nocht be haldin befoir the said feist of Witsonday, the saidis Lordis ordanis alwayis the said persute to ceise befoir the Sessioun or utherwayis, and bayth the partiis to desist and ceise fra all melling or intromissioun with the said toun of Daltoun or troubling of the tenentis thairof, quhill the said court be haldin and the said kyndnes tryit in maner abonewrittin.

Apud Edinburgh, xxiii die mensis Februarii, anno Domini j^{m}v^{c}lx quinto.

Sederunt. Georgius Comes de Huntly. Jacobus Comes de Bothwell. Joannes Comes de Atholl. Willelmus Comes de Marschell. David Comes de Craufurd. Gilbertus Comes de Cassillis. Georgius Comes de Caithnes. Secretarius. Thesaurarius. Computorum Rotulator. Clericus Justiciarie. Joannes Commendatarius de Lundoris. Symon Prestoun de Eodem, Prepositus de Edinburgh. Magister Jacobus Balfour, Rector de Flysk.

The quhilk day, in presence of the saidis Lordis of Secreit Counsall, comperit Maistir Alexander Sym, procuratour for Johnne Achesoun and Erle Atholl. Acheson. Aslowan.

Johnne Aslowane, and wes contentit to pas fra the hedis and contentis of the complaint gevin in be his saidis clientis, aganis Johnne Johnnestoun and Robert Ker, twicheing the leid ure of the mynes of Glengonar and Winlok in Craufurd Mure, specifiit in the supplicatioun maid and presentit thairupoun; except that part thairof in conclusioun twicheing ejectioun of the saidis Johnne Aslowane and Johnne Achesoun, furth of thair possessioun thairof, and restitutioun of thame agane thairto; thairupoun askit act and instrument.

The said Maistir Alexander askit act and instrument upoun the productioun and presenting befoir the saidis Lordis, of the writting subscrivit by the Quenis Majestie, dischargeing the saidis Lordis of all proceding in the actioun depending befoir thame anent the saidis mynis, bot to remit the samyn and all actionis pertening thairto to the Lordis of Counsall and Sessioun, and that all the caussis intentit thairupoun wer coincident, and could nocht be separatid.

The said Robert Ker tuke act and instrument upoun the declaratioun of the saidis Lordis, declaring that thai, according to the mynde and will of the Quenis Majestie knawin unto thame in that mater, procedit and wald proceid forder in the caus intentit and depending at the instance of my Lord Erle of Atholl, aganis the saidis Achesoun and Aslowane anent the saidis mynis, nochtwithstanding the writting foirsaid.

The said Maistir Alexander Sym, procuratour foirsaid, allegeit peremptourlie, in respect of the licence grantit to the saidis Achesoun and Aslowane, and of thair possessioun be vertew thairof, thai aucht nocht haif bene dispossessit without tryall and cognitioun had first bene takin thairanent, and nevir being ordourlie callit, and that in respect of the licence producit contening sic quantitie of leid ure as thai mycht gudelie wyn, and na knawlege nor uther sufficient declaratioun had of the fulfilling of the nowmer and quantitie thairof, did wrang in expelling of thame fra thair possessioun thairof.

Maister Alexander Skene, procuratoure for Atholl, answerit and allegeit in respect of the licence producit, contening ane speciall quantitie and nowmer thairin, and that he had ellis excedit the same nowmer to the quantitie of vii^{m} stane wecht or thairby; and swa, the nowmer being compleit, and als excedit, thair nedit na declaratioun to bene gevin thairin, bot the nowmer being fulfillit, the licence expyrit, and that be vertew thairof had na forder power, and offerit him to preif the samyn.

And als Maister Johnne Spens of Condy, Advocat to oure Soveranis allegeit that my Lord Atholl, his assignayis and factouris, enterit to the saidis mynis ordourlie, be vertew of tak and licence grantit to thame thairupoun be oure Soveranis, and als, be thair Majesteis lettres undir thair subscriptioun and signet, tuke possessioun thairof, eftir that the saidis Johnne Achesoun and Johnne Aslowane, and all utheris occupiaris and intromettouris thairwith, wer lauchfullie inhibit and dischargit of all forder wirking and laubouring thairin, bot to suffir the said Erle, his factouris and assignayis entir thairto, conforme to the said tak and licence,

and that dew intimatioun wes maid thairof, and swa did na wrang in entering to the samyn.

Maistir Alexander Sym, procuratour foirsaid, tuke instrument upoun confessioun of partie twicheing the quantitie of x^m stane wecht of leid ure had be vertew of Gibsonis licence, and xx^m stane be the last licence, comprehending thairin the v^m stane transportit of befoir, contening in the haill xxx^m stane wecht, and grantit in caise that haill quantitie wes nocht contenit in supplicatioun and libell that the same mycht be ekit thairto.

Maistir Alexander Sym askit instrument upoun the productioun of the licence grantit be the King and Quenis Majesteis to the saidis Johnne Achesoun, upoun the quantitie of xii^m stane leid ure trone wecht, compt-and sex scoir to the hundrith, to be transportit be him, paying xlv unce uttir fyne silver for ilk thowsand stane wecht, betuix this and the first day of August nix to cum, datit at Edinburgh the first day of Februare, and of thair Majesteis regnnes the first and xxiiii yeris.

And likewyise, upoun the productioun of the licence grantit be the Quenis Majesteis to the said Johnne Aslowane, his factouris or deputtis in his name, upoun the nowmer and quantitie of x^m stane leid ure custome fre trone wecht, and that of the x^m stane wecht of leid ure specifiit in the licence grantit be hir Majestie to Johnne Gibsoun, ane of the archearis of hir guard, and coft fra him be the said Johnne Aslowane, the said licence datit at Edinburgh, the xvii day of Februare, the yeir of God $j^m v^c lxiii$ yeris, and of hir Majesteis regne the xxii yeir, undir hir Hienessis subscriptioun and signet.

And als, upoun the productioun of the licence grantit be the Quenis Majestie, with consent of umquhile hir derrest husband, to the said Johnne Gibsoun, his factouris and deputtis, for wynning of the quantitie of xx^m stane wecht leid ure in ony part of hir realme, and transporting of the same in ony uther cuntre without payment of ony custum or exactioun, thairfoir, datit at Germane in Luye the ferd day of October, the yeir of God $j^m v^c lx$ yeris.

And alswa, of the dispositioun and translatioun of the said licence and rycht thairof be the said Johnne Gibsoun to Maistir James Lyndesay Johnne Johnnestoun of the Cottis, and Johnne Aslowane, all burgessis of Edinburgh, datit at Edinburgh, the first day of Februare 1565 yeris.

And of the licence grantit be the Quenis Majestie to the saidis Johnne Achesoun and Johnne Aslowane, thair servandis and partinaris, to wirk and win in the leid mynis abonespecifiit sa mekill leid ure as thai may gudelie, and to transport furth of this realme to Flanderis, or ony uther part beyond sey, xx^m stane wecht of the said leid ure, compting sex scoir to the hundrith trone wecht, comprehending thairin fyve thowsand stane wecht of the said ure ellis send be thame to Flanderis for payment of xlv unce of uttir fyne silver for ilk thousand stane wecht thairof, provyding alwayis that how sone the saidis xx^m stane wecht beis compleitlie send away, that thai fra thyne furth carie nor caus transport na mair without new licence of hir Majestie grantit to thame thairupoun, dated xxiii Januarii 1562.

My Lord Atholl and Advocat offerit thame to preif that sen the dait of the former licencis, and befoir the fyft day of October 1565, the saidis Johnne Gibsoun, Johnne Achesoun, and Johnne Aslowane, and utheris having rycht and power of thame be vertew of the saidis twa licencis, hes ellis transportit furth of this realme xxx^{m} stanis of leid ure, and swa had completit the nowmer thairof.

Apud Dunbar, xvi die mensis Marcii, anno, etc. lxv.

Proclamation to meit at Mussilburgh.

The King and Quenis Majesteis, undirstanding that be virtew of thair Majesteis lettres and proclamationis direct of befoir undir thair Majesteis subscriptionis, the inhabitantis of the sherefdomes of Edinburgh principall, within the constabularie of Hadingtoun, Linlythquow, Striviling, Lanark, Roxburgh, Selkirk, Peblis, Berwik, Lawder, and utheris specifiit in the saidis proclamationis, wer warnit to convene and meit thair Hienessis at Haddingtoun and Mussilburgh respective, the xvi, xvii, and xviii dayis of Marche instant, with viii dayis provisioun and victualis eftir thair cuming, as in the saidis former proclamationis past thairupoun at mair lenth is contenit; and thair Majesteis, God willing, being of purpois to be at Hadingtoun this nixt Sonday, the xvii day of Marche instant, ordanis thairfoir lettres to be direct to officiaris of armes, to pas to the marcat croces of the said burgh of Haddingtoun and utheris places neidfull, and thair be oppin proclamatioun in thair Majesteis name and autoritie command and charge all and sindry thair Hienessis liegis, als weill convenit as heireftir sal happin to convene be vertew of the saidis former proclamationis, that thai and ilk ane of thame remane and await at the places foirsaidis appoyntit in the samyn proclamationis sufficientlie provydit for the space of aucht dayis eftir thair cuming; and to attend and pas furthwart with thair Majesteis towart thair Hienessis burgh of Edinburgh or uther place as thai salbe commandit, conforme to the saidis former proclamationis past thairupoun of befoir undir the pane of tinsall of lyff, landis, and gudis.

Apud Edinburgh, xix die mensis Marcii, anno Domini millesimo quingentesimo sexagesimo quinto.

Sederunt. Georgius Comes de Huntly. Willelmus Comes de Marschell. Joannes Comes de Mar. Joannes Dominus Flemyng. Joannes Maxwell de Terreglis, Miles. Symon Prestoun de Eodem, Prepositus de Edinburgh. Jacobus Balfour de Pettindreych, Miles. Thesaurarius. Alexander Episcopus Candide Case. Joannes Commendatarius de Lundoris. Joannes Commendatarius de Balmerynoch. Magister David Chalmer, Cancellarius Rossensis.

Charge on the personis delaitit of the slauchter of David Riccio.

The quhilk day, the King and Quenis Majesteis, for certane ressonabill caussis and considderationis moving thair Hienessis, ordanis lettres to be direct to herauldis or uther officiar of armes, shereffis in that part, chargeing

thame to pas, and in thair Hienessis name and autoritie command and charge—James Erle of Mortoun Lord of Dalkeyth, Patrik Lord Ruthven, Patrik Lord Lyndesay of the Byris, Williame Maister of Ruthven, George Dowglas sone naturall to umquhile Archibald Erle of Angus that last deceissit, Andro Ker of Fawdounsyde, Williame Dowglas of Quhittinghame, Maistir Archibald Dowglas persoun of Dowglas bruther to the said Williame, Johnne Cokburne of Ormistoun, James Johnnestoun of Elphingstoun, Johnne Creichtoun of Bruntstoun, Williame Lawder of Haltoun, James Sandielandis of Calder, James Giffert of Sherefhall, Williame Dowglas of Lochlevin, Adam Erskin Commendatare of Cambuskynneth, John Menteith fear of Kerse, Patrik Murray of Tibbermure, Patrik Wod of Bonytoun, Patrik Bellenden of Stanehous bruther to Sir Johnne Bellenden of Auchnowle Knycht Justice Clerk, Thomas Scot of Cambusmichaell, Ardro Murray of Balvard, David Murray his bruther, Thomas Dischingtoun in Ardros, George Dischingtoun his bruther, Andro Dischingtoun, James Johnnestoun of Westraw, Johnne Carmichaell youngar of that Ilk, Archibald Carmichaell his bruther, James Dowglas of Todholis, James Somervell in Humby, Patrik Somervell his bruther, David Somervell, Maistir James Makgill, Maistir Thomas Dowglas in Clappertoun, James Dowglas of Knychtisrig, Johnne Dowglas in Howden, James Leirmonth of the Craig, Alexander Wardlaw of the Hill, Alexander Quhytlaw of Newgrange, Patrik Quhytlaw his sone, Williame Twedy of Drummelyeare, Adame Twedy of Drava, Johnne Broun of Cultirmanis, James Stewart of Doun Knycht, Alexander Ruthven bruther to the Lord Ruthven, Johnne Dowglas in Scheill, Hector Dowglas in Spittalhauch, James Dowglas thair, Thomas Scot of Abbottishall, David Lindesay of Pyotstoun, George Dowglas bruther germane to Frances Dowglas of Langnudry, Thomas Cowe, Richert Cranstoun,—servandis to the Secretare —Robert Leirmonth in Drem, Richert Mureheid in Craufurd Mure, James Cochrane, Johnne Somervell of Cambusnethaine, Johnne Dowglas in Glaspen, Williame Watt in Muxfute, Johnne M^{c}Morem in Hesilsyde, Williame Inglis in Scrogtoun, Diones Inglis in Braidley, Johnne Mowbray in Deyn, Alexander Borthuik in Kirknewtoun, Waltir Wod servand to Patrik Wod of Bonytoun, Maistir Andro Hay persoun of Renfrew, James Weddirspune of Brighous, Andro Lamby, Johnne Edmonstoun of that Ilk, —personalie or at thair dwelling places; and falyeing thairof, be oppin proclamatioun at the marcat croces of the heid burrowis of the sherefdomes quhair thai dwell; to compeir personalie befoir the King and Quenis Majesteis and Lordis of thair Secreit Counsall at Edinburgh, or quhair it sal happin thame to be for the tyme, upoun the sext day nixt eftir thai and ilkane of thame be chargeit thairto respective, to answer to sic thingis as salbe laid to thair charge, undir the pane of rebellioun and putting of thame to oure horne; and gif thai failye thairin, the saidis sex dayis being bipast, to denunce thame rebellis and put thame to the horne, and to escheit, etc.

Apud Edinburgh, xxi die mensis Marcii, anno Domini j^{m}v^{c} sexagesimo quinto.

Sederunt. Domini ut in die predicto.

Mr. Maxwell. Mr. Robert Stewart.

The quhilk day, in presens of the Lordis of Secreit Counsall, Sir Johnne Maxwell of Terreglis Knycht, Wardane of the West Marchis of this realme, menit exponit and declarit, how it plesit the Quenis Majestie to gif him commissioun to inquire and tak inquisitioun quhat personis, liegis of this realme, resset, ressavit, or in ony wayis reft or intromettit with ony of the piraticall gudis brocht in at the toun and port of Quhithorne be Andro Quheit pirat, and pertening to certane Inglis marchantis of Carmerthen, Havirfurd West, and West Chestir; and to caus, command, and charge all sic personis as sould be delaitit to him, to entir thair personis in ward within the Castell of Traiff, ay and quhill thai haif maid full satisfactioun of the gudis resset ressavit or coft be thame, to the awnaris; and forder, quhill hir Majestie wer fully satisfiit for the contempt of thair autoritie, and the saidis personis fred and relevit be thair Hienessis undir the pane of tressoun, as at mair lenth is contenit in the said commissioun; and eftir the said Sir Johnne, be vertew and at command thairof, had tane tryall and inquisitioun of the resettaris of the saidis gudis, at last, with greit travell, maid the saidis Inglis marchantis to stand contentit with four hundrith pundis stirling, quhairas the valour of thair gudis contenit in thair cockettis extendit to xiiii^{c} li. stirling. Of the quhilk four hundrith pundis, ane hundrith being payit in hand to the saidis Inglismen, certane gentilmen of the cuntre become souerteis for the thre hundrith pundis restand to ane certane day now bipast, upoun promeis that all resettaris of the saidis gudis sould be compellit to pay thair part thairof, for the saidis souerteis releif, and the said commissioun put to executioun aganis thame for that effect, quhilk the King and Quenis Majesteis willit to be exactlie and diligentlie performit. And forder, commandit the said Sir Johnne to uptak, inbring, and deliver the said soum to thair Hienessis, upoun certane considderationis moving thame; and in the executioun of the saidis commissionis, and of thair Hienessis commandiment foirsaid, he ressavit na contradictioun nor dissobedience, exceptand onelie be Maister Robert Stewart, archear of thair Majesteis gaird, quha being commandit personalie be the said Sir Johne, to entir in ward within the said Castell of Traiff quhill payment wer maid of sic part of the saidis pyraticall gudis as he resset and confessit, according to the ordour takin with utheris in the cuntre, nocht onelie refusit and disobeyit to entir, bot with that behavit him verie irreverentlie in his wordis, gevand evill exempill to utheris; throw the quhilk, grittar inconvenientis and disordour mycht follow gif, be the saidis Lordis, this inobedience wer nocht correctit. The said Maistir Robert Stewart, being callit, comperit, quhais allegeance and excusationis wer hard, sene and undirstand to the saidis Lordis; and thai being ryplie avysit thairwith, bayth the partiis being removit, find the proceding of the said Sir Johnne ordourlie and according to his commissioun, and that

the said Maistir Robert hes offendit in dissobeying the said commandiment gevin him, and irreverence schawin in maner foirsaid; and thairfoir ordanis the said Sir Johnne to proceid and put his decreit and ordinance quhatsumevir aganis the said Maistir Robert to executioun, siclike as aganis the utheris personis resettaris of the saidis piraticall gudis, nocht-withstanding that he is ane of thair Majesteis gaird, and swa subject to his capitanis jugement; quhilk in this caise the saidis Lordis thinkis meit be dispensit with, in respect the mater is for restitutioun of gudis betuix the realmis quhairon peace or weir may follow, alwayis without prejudice of the said capitanis office, jugement, and privilege in tyme cuming. And for the contempt and inobedience usit be the said Maistir Robert, ordanis him at the end of his service, and within xxiiii houris eftir his nixt cuming within Galloway, to entir his persoun in ward, ay and quhill he haif fully satisfeit for the gudis resset be him, and be fred and relevit be oure Soveranis, conforme to the first charge execute aganis him, and undir the panis contenit in the same.

Apud Edinburgh, xxii die mensis Marcii, anno Domini millesimo quingentesimo sexagesimo quinto.

Sederunt. Georgius Comes de Huntly. Jacobus Comes de Bothwell. Joannes Comes de Atholl. Willelmus Comes de Marschell. Joannes Comes de Mar. Georgius Comes de Caithnes. Joannes Maxwell de Terreglis, Miles. Prepositus de Edinburgh. Jacobus Balfour. Thesaurarius. Episcopus Candide Case. Cancellarius Rossensis. Lundoris.

Ordour for Rebellis.

The quhilk day, the King and Quenis Majesteis and Lordis of thair Secreit Counsall, considdering the greit dissobedience and heich contempt committit be the subjectis of this realme, specialie sic personis as ar astrictit in payment of thair Hienessis propirtie, casualiteis and thridis of benefices, quhilkis contempnandlie dalie passis to the horne without respect, thairby, sa far as in thame lyis, bringand the autoritie of thair Hienessis in plane contempt, and the proces of horne quhilk of befoir wes greitlie dred and ferit, to becum commoun to the greit hurt of the commoun weill and thair Majesteis obedience. For remeid of the quhilkis abuse and disordour, thair Hienessis and Lordis foirsaidis hes thocht gude, divisit, statute, and ordanit, that quhatsumevir ony of thair Majesteis revenues, owther of thair propirtie, thridis of benefices, or casualitie is awand eftir the accustumat terme or day appointit, that lettres be rasit thairon be deliverance of the Lordis of Sessioun, owther of horning or poinding, according as the saidis Lordis sall think ressonabill; with the quhilkis the Thesaurare and Comptrollar sall direct thair officiaris, quhilkis of befoir thai owther poind or charge the persoun awand the det sall pas to the Sheref, Stewart, or Baillie of the cuntre or thair deputtis, and to the provest and baillies within burgh, and mak advertisement to thame that sic lettres ar to be execute, gif it be poinding, require thair ayde and assistance in sic sort that na deforcement salbe ressavit, and gif it be horning, that the

shereffis or utheris jugeis ordinar may be reddie incontinent eftir the denunciatioun, to intromet with the eschetis of the personis denuncit, to thair Hienessis use; quhilk thai salbe haldin to do diligence without regard or considderatioun of quhatsumevir previe and fraudfull assignationis, as thai will answer upoun thair dewitie; quhairin gif thai failye, upoun the complaint of the Thesaurare or Comptrollar, thai salbe callit befoir oure Soveranis and thair Secreit Counsall, to answer upoun thair diligence and puneist condignelie, in caise thai be fund, eftir requisitioun maid to thame, remysse or negligent; and being fund trewlie and justlie to haif executit thair offices, thair gude service salbe bettir recognoscit; bot becaus the furnissing of oure Soveranis hous may ressave na delay, thairfoir of the reddiest of the eschetis thus to be takin up, the sheref to deliver sa mekill to the Comptrollaris officiar as is awand him to satisfie his instant necessitie, he alwayis gevand his ticket to the Thesaurare upoun samekill as he ressavis; and the Comptrollar sall nevir consent to the relaxatioun of ony persoun fra the horne quhill the det awand be thame be fully satisfeit and payit; nochtwithstanding the uptaking of thair eschetis quhilk sall stand for na payment of the det, and he being payit be the partie of the det sall randir and restoir agane to the Thesaurare samekill money as he ressavis of the escheit gudis. And becaus diverse personis denuncit rebellis and at the horne, for non payment of oure Soveranis propirtie casualiteis and thridis of benefices, dalie without feir and reverence resortis within thair Hienessis place in thair awin presens and burgh of Edinburgh; thairfoir ordanis the Thesaurare to send officiaris, accumpaneit with the officiaris of the burgh of Edinburgh, and tak and apprehend the rebellis, ane or ma, and present thame to the capitane, constabill, and keparis of the castell of Edinburgh, or to the javelour of the tolbuyth of the samyn, thair to remane upoun thair awin expenssis, ay and quhill thai haif satisfeit the Comptrollar for the det for the quhilk thai wer put to the horne, and haif aggreit with the Thesaurare for thair escheit, quha sall nocht compone with na persoun put to the horne at the comptrollaris instance for thair escheittis, quhill first thai haif satisfiit and payit the det for the quhilk thai wer denuncit; and that lettres be direct for publicatioun heirof in dew forme as efferis.

Apud Edinburgh, xxv die mensis Marcii, anno, etc. lx sexto.

Sederunt. Georgius Comes de Huntly. Joannes Comes de Atholl. Willelmus Comes de Marschell. David Comes de Craufurd. Gilbertus Comes de Cassillis. Georgius Comes de Caithnes. Joannes Comes de Mar. Joannes Dominus Flemyng. Joannes Maxwell de Terreglis, Miles. Prepositus de Edinburgh. Episcopus Candide Case. Joannes Commendatarius de Lundoris. Joannes Commendatarius de Balmerinoch. Thesaurarius. Jacobus Balfour de Pettindreych, Miles. Clericus Registri.

Ordour of the Secrete Counsell.

The quhilk day, the Lordis of Secreit Counsall abonewrittin, being convenit in the Counsalhous of the Nethir Tolbuyth of Edinburgh, being

sworne, maid fayth, and gaif thair ayth lelelie and trewlie to consult conclude and determyne, upoun all actionis to be proponit befoir thame, concerning the effaris of the commoun weill of this realme and liegis thairof; and to gif thair aufauld, leill, and trew counsall thairin, and to keip the samyn secreit and unrevelit be ony maner of way, as thai will answer to God and our Soveranis thairupoun; and als Alexander Hay scrybe in counsall, and Williame Brussoun maser and kepar of the Counsalhous dur, gaif thair aythis trewlie to execute thair offices as appertenis.

The Lordis of Secreit Counsall, undirstanding and cleirlie persaving the greit delay and slawnes of justice within this realme, and the oursycht and negligence of the effaris of the commoun weill and furthsetting of the King and Quenis Majesteis service, the occasioun quhairof cheiflie procedis for inlaik and default of ane ordinar counsall dalie sittand, and for lak of gude ordour in proceding the tyme of thair conventioun. For avoyding of the quhilkis inconvenientis, and reducing all thing to ane decent forme, that bayth the effaris of oure Soveranis and of the commoun weill may be circumspectlie and gravelie attendit unto and performit, thairfoir hes statute and ordanit that the Lordis of Secreit Counsall being present in the burgh of Edinburgh, or quhair oure Soveranis sal happin to be for the tyme, sall convene in the appointit Counsalhous at aucht houris befoir none, thair to sit for the space of thre hours befoir none, and eftir none, to convene agane at thre houris eftir none, and to continew quhill fyve houris at evin; provyding that upoun the Fryday and Weddinsday the conventioun be delayit quhill nyne houris; and sic like that it be lefull to sa mony of the Lordis of Secreit Counsall as ar upoun the sessioun, to await thairupoun the tyme of the sitting thairof, the remanent alwayis to keip this ordinare forme. And gif ony being present in the toun or quhair oure Soveranis remanis, absentis thame and beis nocht present in the Counsalhous at the hour appointit, or at leist sendis nocht ane man to schaw and declair ane ressonabill caus of thair absence, he sall incontinent thaireftir pay for his absence ane testane quhilk the clerk sall collect, conserve, and keip to be disponit at the Lordis will and commandiment everie Settirday at nycht.

Item, at thair conventioun thai sall proceid in this maner: first being enterit, the Counsalhous to be cleirlie ischit, and nane to abyde within the samyn bot the ordinar Lordis admittit and sworne and ane clerk, and being sittin doun first to prayse God with ane oratioun; and that being endit, all talking of particular besines to ceise, and sic hedis to be begun as at the nycht afoir wes left undecydit, quhilk the clerk sall note and gif in ticket to the Chancellar; and quhatsoevir beis condiscendit upon salbe lykewyise notit and deliverit to twa of the Counsall to be reportit to the Quenis Majestie at xi houris, swa that hir Hienes plesour may be knawin, quhilk sall agane be reportit to the haill Lordis at the nixt conventioun, and thaireftir put in forme as efferis; and sic thingis as ar to be ressonit

upoun the morne to be red the nycht preceding, to the effect that the Lordis may be the bettir avysit thairwith, except the materis be sa secreit that thai can nocht weill be opinlie declarit.

Apud Edinburgh, xxvi Marcii, anno, etc. sexagesimo sexto.

Sederunt. Georgius Comes de Huntly. Jacobus Comes de Bothwell. Georgius Comes de Caithnes. Joannes Maxwell de Terreglis, Miles. Prepositus de Edinburgh. Clericus Registri. Alexander Episcopus Candide Case. Joannes Commendatarius de Lundoris. Joannes Commendatarius de Balmerinoch. Thesaurarius.[1] Cancellarius Rossensis.

Weddirburn. The King and Quenis Majesteis ordanis the clerk of Counsall and his deputtis to ressave souertie of David Hume of Weddirburne, that he, within the space of ten dayis eftir the dait heirof, sall entir his persoun in ward within the boundis of Galloway, be west the wattir of Nyth, thair to remane upoun his awin expenssis, and on na wayis eschaip nor eschew quhill he be fred be thair Majesteis, undir the pane of fyve thowsand markis.

Upoun the said xxvi day of Marche, Johne Gordoun of Lochinvar, Alexander Hammiltoun of Inverwik, Johnne Hume of Blacater, and George Touris of Inverleyth, ar becum actit and obleist, conjunctlie and severalie, that the said David Hume of Weddirburne sall entir and remane in ward eftir the forme and tennour of this ordinance, and undir the pane contenit in the same.

Apud Edinburgh, penultimo Marcii, anno Domini millesimo quingentesimo sexagesimo sexto.

Cautio Somer. Redpeth. Watsoun. The quhilk day, Allane Dikkesoun is becum souertie for David Somer, burges of Edinburgh, George Reidpeth, burges of Edinburgh, souertie for Thomas Reidpeth, and Johnne Udart, souertie for Maistir James Watsoun, all burgessis of the said burgh [That they shall enter in ward in the Tolbooth of Edinburgh on six hours' warning. Penalty £1000 each.]

Apud Edinburgh, vigesimo quarto die mensis Januarii, anno Domini millesimo quingentesimo sexagesimo quinto.[2]

Hammiltoun. Henderson. The quhilk day, anent the supplicatioun presentit be Jonet Dik, spous to Johnne Hammiltoun, burges of Edinburgh, makand mentioun, that quhair schö and hir said spous, for his interes, wer summond to compeir befoir the Justice or his deputtis and undirly the lawis, the xx day of November last bipast, for the allegit hurting of Grissell Henrysoun, be causing let doun ane daill in Archibald Williamesonis Clois within this burgh, as in oure Soveranis Lord and Ladiis lettres rasit thairupoun at mair lenth is

[1] William Stewart, Provost of Lincluden.

[2] + This Act had not been inserted in its proper place in the Register; see footnote, p. 420.

contenit, quhilkis lettres ar rasit upoun the determinatioun of ane assyise befoir the Constabill Depute, be the quhilk, in absence of the said Jonettis spous, he beand in the partis of France usand his lefull marchandice, and nocht callit for his interes to haif defendit hir as he aucht to haif done, wes nocht convict of the hurting of the said Grissell, bot that schö gaif command to the werkmen hyrit be his said spous to his bigging to transport certane daillis furth of ane heich house eftir the completing of the werk; be occasioun quhairof, and oursycht partlie of the laubouraris and partlie of the said Grissell, quha mycht haif sauffit hir self fra the said hurt, gif ony be, wes without the said Jonettis knawlege or command, quhairthrow schö is nocht allanerlie innocent, bot the Constable Deputtis in pronunceing of hir giltie of the causing transport the saidis daillis, quhilk of the self wes na fault, and impresoning of hir persoun, thairfoir schew thame selffis manifest, partiall, and myndit to invent ane noveltie and plane alteratioun of the lawis of this realme, expres aganis equitie and justice as may be considderit be thair rolment of Court. Quhairupoun the said Jonete Dik and hir said spous hes libellit summondis of errour for productioun and reductioun of the said declaratioun of the assyisis foirsaidis gif oure saidis Soveranis and Lordis of thair Secreit Counsall lyke nocht to tak ordour thairanent according to the lawis of this realme. The Lordis of Secreit Counsall having sene and considderit the said supplicatioun, with the said rolment gevin be the said Constabill Depute, findis the samyn rolment to be a noveltie, strange and contrarious to the lawis of this realme, and nocht willing that the said Jonet salbe saikleslie troubillit, nor the said Grissell langar delayit in vane hoip of the said rolment, dischargeing thairfoir the Justice and his Deputtis of all proceding aganis the said Jonete for the caus abonewrittin. And becaus thai undirstand the said Grissell to be accidentlie hurt, and yit nocht abill to sustene hir self quhill schö be helit, nor to pay the chirurgianis quhilk hes hir in cure,—thairfoir counsalis and requiris the said Jonet Dik to content and pay to the said Grissell in gude will and as almons the soum of twenty pundis money of this realme for hir releif and support, quhilkis the saidis Jonete and Johnne hir spous, at the saidis Lordis desire, for Goddis saik, wer contentit to do, quhairwith alswa Margaret Craufurd, moder to the said Grissell Hendirsoun, wer contentit and satisfiit.

Apud Edinburgh, primo Aprilis, anno Domini millesimo quingentesimo sexagesimo sexto.

Sederunt. Georgius Comes de Huntly. Joannes Comes de Atholl. Georgius Comes de Caithnes. Joannes Comes de Mar. Joannes Maxwell de Terreglis, Miles.

Charge on Tenentis to compeir.

The Lordis of Secreit Counsall, for certane ressonabill caussis and considderationis moving thair Hienessis, ordanis ane Herauld or uther officiar of armes to pas, and in oure Soveranis name and autoritie command and charge—Alexander Mureheid in Gulane, Johnne Crake thair, James Halie-

burtoun in Dirltoun, Williame Levingstoun thair, Thomas Richesoun servand to Alexander Robesoun, Archibald Sande thair, George Seves in Fentoun, David Kellaw in Ormistoun, George Huntar sone to William Huntar thair, Patrik Forester thair, Thomas Remald in Paistoun, Harlaw thair, Harlaw thair, Alexander Pursell in Cousland, Johnne Huntar thair, Thomas Craig thair, James Smyth thair, Thomas Harrot thair, Johnne Smyth thair, Thomas Wod thair, James Huntar thair, Petir Johnnestoun thair, Johnne Nobill thair, Alexander Broun flescheour thair, Williame Mow in Dalkeyth, Williame Borthuik thair, Williame Byrd thair, Johnne Bowman thair, James Heich thair, James Allane millar thair, Nicholl Watsoun thair, Thomas Patirsoun thair, Thomas Tait thair, David Nymmill thair, William Nymmill thair, Gilbert Vache thair, James Cuthbertsoun thair, Alexander Hog, Johnne Cochrane thair, Johnne Cass thair, George Carnis thair, Johnne Stevinsoun smyth thair, Johnne Cumyng thair, Robert Bell thair, Adam Watsoun thair, Thomas Watsoun thair, Niniane Calderwod thair, Johnne Calderwod thair, David Aikinheid thair, Thomas Aikinheid thair, Johnne Mow thair, Petir Turnbull thair, Johnne Portuous thair, Johnne Vache thair, Williame Archibald thair, Nicholl Gawe thair, Johnne Dowglas in Scheill, Robert Leirmonth in Drem, James Veche, Williame Porteous, Thomas Hall, Alexander Tod sone to George Tod in Dirltoun, George Tod his fadir, Alexander Robesoun thair, Williame Baikbe in Drem, Williame Thomsoun in Coittis, Thomsoun his sone in Garintoun, Johnne Baikbe in Drumhillis, —personalie, or at thair dwelling places, and be oppin proclamatioun at the marcat croces of Edinburgh, Hadingtoun, Linlythquow and Peblis respective, to compeir personalie befoir the King and Quenis Majesties and Lordis of Secreit Counsall foirsaidis at Edinburgh, or quhair it sal happin thame to be for the tyme, viz., thai within the sherefdome of Edinburgh principall, within xxiiii houris nixteftir the charge, and thai within the uther sherefdomes abonewrittin within xlviii houris nixteftir the charge, to answer to sic thingis as salbe laid to thair charge, undir the pane of rebellioun and putting of thame to the horne; and gif thai failye thairin, the saidis spaces respective being bipast, to denunce thame rebellis, and put thame to the horne, and to escheit, etc.; and that lettres be direct heirupoun als oft as neid beis in forme as efferis.

[3d April.—Robert Gourlaw becomes suerty that David Forester enter in ward in the Tolbooth or Holyrood House on six hours' warning. Penalty £1000.]

[4th April.—Patrick Rig becomes suerty that George Dischington, brother to the Laird of Ardross, appear before the Council. Penalty £100.]

Apud Edinburgh, quinto die mensis Aprilis, anno, etc. lx sexto.

Sederunt. Georgius Comes de Huntly. Jacobus Comes de Bothwell. Joannes Comes de Atholl. Willelmus Comes de Marschell. David Comes de Craufurd. Georgius Comes de Caithnes. Joannes Comes de Mar. Joannes Maxwell de Terregles, Miles. Alexander Episcopus Candide Case. Joannes Commendatarius de Lundoris. Jacobus Balfour de Pettindreych, Miles, ac Clericus Registri.

The Quenis Dyet.

The Lordis of Secreit Counsall thinkis it maist commodious for the commoun weill of this cuntre, gif it may stand with the Quenis Majesteis plesour, and with the helth of hir body, that hir Majestie remane in the castell of Edinburgh till hir Grace be deliverit of hir birth; and in caise hir Majestie pas to ony uther part to remane, the Counsall to remane still in Edinburgh, and sum forceis with thame, during the said space, and sum nobill men to remane with the Quenis Majestie quhair hir Grace remanis.

[5th April.—Sir William Scott of Balwery Knight becomes surety for Thomas Scott of Abbotshall and John Banerman of Cardy for David Lindsay of Pyotstoun, that they shall remain in Edinburgh, entering again in ward when required, under a penalty of £2000 and £1000 respectively.]

[5th April.—Edward Little, burgess in Edinburgh, becomes surety that John Scharp shall remain in ward in Edinburgh, and enter the Tolbooth on six hours' warning. Penalty £1000.]

[7th April.—Archibald Wood of Witstoun becomes surety for Walter Wood, in ward in the Tolbooth, that he shall compear and enter again on six days' warning, under penalty of 1000 merks. The security received by Sir Simon Preston of Craigmillar Provost of Edinburgh, and to be registered for execution, attested by Captain Robert Anstruther, George Dodrig burgess, James Creichton, Hector Trollop, macer, and others.]

[10th April.—James Lindesay, burgess of Edinburgh, becomes surety that David Lindsay of Pyotston ward himself in any place to be fixed, on ten days' warning. Penalty £1000.]

[11th April.—Compears Thomas Scot of Abbotshall, stating that he had been charged on six days' answer, under pain of horning and denunciation, and the period having expired, in respect of his appearance procedure suspended, without prejudice to his obligation. Like procedure as to Andrew Murray of Arngask Knight.]

[12th April.—John Lindsay of Covinton becomes surety that William Campbell, tutor of Cesnock, remain in ward in the burgh of Edinburgh.]

[12th April.—Jasper Graden in Langrig becomes surety that William Graden in Grastanerig will compear before Alexander Lord Hume, Warden of the East Marches.]

Ordour for Artalliery.

The King and Quenis Majesteis, considdering how honorabill and commodious it is to haif thair strenthis, castellis, and forteressis garnischit and weill furneist with artailyearie and necessar munitioun, quhilk servis to na use gif it be nocht montit and dewlie acowterit and put in gude ordour,—this movit thair Majesteis to vesie and considder thair Hienessis ordinance, of the qhuilk ane large part wanting convenient furniture, thair Hienessis, for reparatioun of that elest, be avyise of thair Counsall, commandit all thing quhilk wes fallin in decay to be amendit and bet; and for the tyme na tymmer meit for that purpois being within the realme, thair Graces wrait to diverse nobill men and utheris quhilkis had greit tymmer in thair woddis and orchardis, to answer thair servitour, Johnne Cheischolme, comptrollar of the artailyearie, of sic part of the samyn tymmer as he sould think ganand for the effect abonewrittin. According to the quhilk thair Majesteis plesour, this last wintir certane tymmer wes cuttit at Kincardin, Abiruthven, Abirdagy, and Moncreif, quhilk is now reddie to be put in werk, and necessarlie mon be careit and transportit fra the places quhair the samyn presentlie lyis to the mowth of the Wattir of Erne, quhilk mon be performit be the gentilmen and inhabitantis of the cuntre of Stratherne and the utheris partis of the sherefdome of Perth nixt adjacent, according to the quantitie and distance of the cariage and the extent of the landis. For the quhilk purpois, thair Majesteis hes directit thair said Comptrollar of artailyearie to se the said tymmer careit and schippit, and hes willit him, be the avyise of Williame Erle of Montroise, and David Lord Drummond, or ayther of thame, to devyde the cariage of the said tymmer amangis the haill cuntre at thair discretioun; and albeit thair Hienessis doubtis nocht bot everie nobill man, gentilman, and yeman will voluntary and with glaid will obey sa far as in this ressonabill desire thai salbe demandit,—yit to the effect that all men, as ressoun wald, beir equall burding in sic a commoun caus, thair Majesteis ordanis lettres to be direct to officiaris of armes, chargeing thame to pas, and in thair Hienessis name and autoritie command and charge all and sindry Erlis, Lordis, Baronis, frehaldaris, landit men, gentilmen, tennentis, and occupiaris of landis quhatsumevir, within the saidis boundis or ony part thairof, quhais names togiddir with the quantitie of oxin, tyme, and place, salbe appointit and gevin in bill subscrivit be the said Comptrollar of artailyearie, to convene and send thair saidis oxin with sowmes, cheittis, and all utheris necessaris to the places particularlie to be nominat at the dayis assignit, thair to ressave and carie the tymmer quhilk for thair part salbe deliverit to thame fra thyne to the mowth of the said Wattir of Erne, undir the pane for ilk ox that sall nocht be send at the tyme and place appointit, xx ß.; and gif thai failye thairin, that incontinent thaireftir the officiaris, executouris heirof, poind and distrenye the dissobeyaris for the said pane, and thair-

with that the said Comptrollar hyre oxin or hors with all gudelie diligence, swa that alwayis the tymmer be cariit and na delay usit thairin, as he will answer upoun his charge and perrell.

[13th April.—John Owstiane becomes surety for John Mowbray and James Mosman for William Harlow, that they shall respectively enter in ward. All burgesses of Edinburgh.]

Apud Edinburgh, xv die mensis Aprilis, anno Domini millesimo quingentesimo sexagesimo sexto.

Sederunt. Georgius Comes de Huntly. Joannes Comes de Atholl. Jacobus Comes de Bothwell. David Comes de Craufurd. Georgius Comes de Caithnes. Joannes Comes de Mar. Alexander Episcopus Candide Case. Joannes Episcopus Rossensis. Clericus Registri.

Erl Cathnes. Hectoursonis.

The quhilk day, anent the supplicatioun presentit to George Erle of Caithnes, makand mentioun, that quhair it plesit the King and Quenis Majesteis to mak and constitute him thair Majesteis Justice in that part within the boundis of Caithnes, as thair Hienessis commissioun grantit to him thairupoun beris; and becaus William Sutherland alias Hectorsoun, Angus Sutherland alias Hectorsoun, Hector Sutherland sone to Alexander Sutherland in Lathrinfulye, Johnne Sutherland his bruther, with thair complices, upoun the xxvii day of August last bipast, crewellie slew Alexander Ysoun in Lapok, Williame Ysoun, Ysoun, his sonnis, Alexander Murquhosoun, Johnne Murquhosoun his sone, and utheris to the nowmer of vii personis; and rasit fyre and brint the hous of Andro Bayne in Eistir Alycht. And being callit to haif undirlyne the law thairfoir befoir the said Erle and his deputtis at ane certane day bigane and place, thay, in defalt of finding of souertie to undirly the law for the saidis crymes, wer put to the horne, quhairat thai remanit ane lang space thaireftir, and hantit and reparit within the hous, place, and fortalice of Beredaill pertening to Laurence Lord Oliphant, swa that thai could nocht be gottin nor apprehendit to be puneist for the crymes foirsaidis; the said Erle tuik the said hous and place and put servandis thairin for keping of the same in the King and Quenis Majesteis name fra the saidis rebellis; nevirtheles, Williame Sutherland of Evelik, Nicholas Sutherland bruther to the Lard of Duffous, Johnne Sutherland in Tarboll, Hew Murray, Williame and Angus Sutherlandis alias Hectorsonis, with thair complices, of the causing sending command assistance and ratihabitioun of the said Lard of Duffous, laitlie upoun the said xxiii day of December last bipast, undir silence of nycht befoir day, come neir unto the said hous and place of Berydaill and lay in quiet and secreit maner thairabout, and syne dissaitfullie tuke the same, and as yit haldis and detenis the said hous, place, and fortalice, to be apperand brek in the cuntre. And anent the charge gevin to Laurence Maistir of Oliphant to compeir befoir oure Soveranis

and Lordis of Secreit Counsall at ane certane day of lang tyme bigane, to heir and se ordour takin anent the said complaint, the Lordis of Secreit Counsall, eftir gude avysement and consideratioun of the mater, ordanis lettres to be direct to charge the saidis Williame Sutherland of Evelik, Nicholas Sutherland bruther to the said Lard of Duffus, Johnne Sutherland in Tarboll, Hew Murray, Williame and Angus Sutherlandis alias Hectorsonis, to randir and deliver the said place and fortalice of Beredaill to the said Laurence Maistir of Oliphant, or ony in his name havand his power to ressave the samyn, within xxiiii houris nixt eftir the charge, undir the pane of rebellioun and putting of thame to the horne; and gif thai failye thairin, the saidis xxiiii houris being bipast, to denunce thame rebellis and put thame to the horne; and als to charge the said Laurence Maistir of Oliphant to pas him self, or direct sum of his servandis in his name to ressave the said hous and fortalice of Beredaill fra the personis abonewrittin, or utheris detenaris thairof at sic day as sall peremptourlie be assignit be the executour heirof; with certificatioun and he failye, the King and Quenis Majesteis will appoint sufficient keparis of the said place and fortalice to the intertenyment of quietnes in the cuntre as appertenis upoun the expenssis of the said Maistir Oliphant. And als to charge Alexander Sutherland of Duffus to randir and deliver the said hous and fortalice of Beredaill to the said Laurence Maistir of Oliphant, or ony in his name havand his power, and failyeing thairof to ony havand oure Soveranis power and commissioun to that effect, within ten dayis nixteftir, he be chargeit thairto, under the pane of rebellioun and putting of him to the horne, or ellis that he upoun the xv day nixt eftir the charge compeir befoir oure Soveranis and thair Secreit Counsall at Edinburgh, or quhair it sal happin thame to be for the tyme, and schaw ane ressonabill caus quhy the samyn sould nocht be done; with certificatioun to him and he failye, lettres salbe direct simpliciter to put him to the horne.

Erl Cathnes. Sutherlandis.

The quhilk day, anent oure Soveranis Lord and Ladiis lettres purchest—be Gillepatrik Moir M°Alexander Dow, Johnne M°Doweldoun, Angus Mak Williame M°Alexander Brownacht, Williame Stewart, Williame M°James Makrobert, and Gillepatrik Moir M°Alexander Davy,—makand mentioun that quhair Williame Sutherland of Evelik, Nicholas Sutherland brethir to Alexander Sutherland of Duffus, Williame Sutherland alias Hectorsoun, Angus Sutherland his bruther, Johnne Sutherland in Tarboll, and Hew Murray, with thair complices, of the causing, sending, and command of the said Lard of Duffus thair Maistir, laitlie upoun the xxiii day of December last bipast, undir silence of nycht, come neir by to the hous and place of Berrydaill, within Caithnes, and lay in quiet maner besyde the samyn, and thaireftir dissaitfullie tuke the said hous and place quhairin thai wer put be George Erle of Caithnes, oure Soverane Justice in that part, constitute within the boundis of Caithnes, for keping thairof fra certane rebellis, and utheris inobedient personis to thair Majesteis and thair autoritie; and eftir the taking thairof, tuke, put, and haldis the saidis

complenaris in pressoun and captivitie, at the leist ane part of thame, within the said hous and place, and utheris of thame in sic utheris partis and places quhair thai pleis; and will nocht put thame to libertie and fredome without thai be compellit. And anent the charge gevin to the said Alexander Sutherland of Duffous, to present the saidis personis complenit upoun befoir the Justice and his deputtis within the Tolbuyth of Edinburgh, upoun the xl day nixt eftir the charge, that ordour may be takin anent thame undir the pane of rebellioun and putting of him to the horne, with certificatioun to him and he failye, lettres sould be direct simpliciter to put him to the horne, lyke as at mair lenth is contenit in the saidis lettres; the saidis complenaris comperand be George Erle of Caithnes thair maistir, and Maistir Clement Littill thair procuratour in thair name; and the said Alexander Sutherland of Duffus, being oftymes callit and nocht comperand be him self, nor na utheris in his name havand his sufficient power, lyke as at mair lenth is contenit in the saidis lettres. The Lordis of Secreit Counsall ordanis lettres to be direct to charge the said Alexander Sutherland of Duffus, yit as of befoir, to present the saidis personis complenit upoun befoir the Justice and his deputtis within the Tolbuyth of Edinburgh, upoun the xxii day nixteftir the charge, to the effect abonewrittin, undir the pane of rebellioun and putting of him to the horne; and gif he failye thairin, the said day being bipast, to denunce him rebell and put him to the horne, and to escheit, etc.

Erl of Cathnes. Murchosoun.

The quhilk day, anent oure Soveranis Lord and Ladiis lettres purchest be the kin and freindis of umquhile Alexander Ysoun in Lapok, Williame Ysoun, Ysoun his sonnis, Alexander Murchosoun, Johnne Murchosoun, and utheris to the nowmer of sevin personis, makand mentioun, that quhair Williame Sutherland alias Hectorsoun, Angus Hectorsoun his bruther, with thair complices, upoun the xvii day of August last bipast, crewellie slew the saidis personis, and rasit fyre, and brint the hous of Andro Bayne in Eister Alycht. And being callit to haif undirlyne the law for the saidis crymes befoir George Erle of Caithnes, justice constitute in that part within the boundis of Caithnes, and his deputtis, be vertew of thair Hienessis commissioun, thay, in defalt of finding of souertie to undirly the lawis thairfoir, past to the horne, quhairat thai remanit ane lang tyme thaireftir, and hantit and reparit in the hous, place, and fortalice of Beredaill, swa that thai could nor mycht nocht be apprehendit to be puneist for the saidis crymes. The said Erle tuke the said place and hous, and put certane servandis thairin for keping of the samyn in the King and Quenis Majesteis name fra the saidis rebellis; nevirtheles Williame Sutherland of Evelik, Nicholas Sutherland brethir to the Lard of Duffus, Williame Sutherland alias Hectorsoun, Angus Sutherland his bruther, Johnne Sutherland in Tarboll, and Hew Murray, with thair complices, upoun the xxiii day of December last bipast, undir silence of nycht befoir day, come to the said hous, place, and fortalice of Beredaill, and lay

in quiet maner thairabout, and dissaitfullie tuke the samyn; and eftir that thai had enterit thairin, thay crewellie slew umquhile Gillepatrik M^cAnuldonich, ane of the keparis of the said hous, place, and fortalice of Beredaill, hurt and woundit diverse utheris keparis of the same, and hes takin and haldis thame in pressoun and captivitie, thay being oure Soveranis fre liegis, usurpand thairthrow upoun thame thair Majesteis autoritie in manifest contemptioun of the samyn. And anent the charge gevin to the said Alexander Sutherland of Duffous, to bring and present befoir oure saidis Soveranis and thair Counsall the foirsaidis Williame Sutherland and Nicholas Sutherland his brethir, Williame Sutherland alias Hectorsoun, Angus Sutherland his bruther, Johnne Sutherland, and Hew Murray, houshald men, tenentis, and servandis to the said Lard of Duffous, upoun the xxx day eftir the charge, conforme to the generall band maid be the baronis of the cuntre to thair Majesteis thairupoun, and undir the panis contenit in the samyn, or ellis to haif comperit upoun the xxx day nixt eftir the charge befoir thair Hienessis and thair Counsall, and answer upoun his diligence, with certificatioun to him and he failyeit, the panis contenit in the said band sould be execute upoun him lyke as at mair lenth is contenit in the saidis lettres; the saidis complenaris comperand be George Erle of Caithnes thair maistir and Maistir Clement Littill thair procuratour, and the said Alexander Sutherland being oftymes callit and nocht comperand, the Lordis of Secreit Counsall ordanis the Justice Clerk and his deputtis to direct lettres for calling of the said Alexander Sutherland of Duffus to ane particular dyet, and at the samyn dyet to put him to the knawlege of ane assyise upoun his diligence done in bringing and presenting befoir oure saidis Soveranis and thair Counsall of the personis abonewrittin, efter the forme of the said generall band, and that justice be dewlie ministrat upoun him according thairto, as he beis fundin innocent or culpabill.

Cautio Drumlangrig.

In presens of the Lordis of Secreit Counsall comperit Sir James Hammiltoun of Craufurdjohnne Knycht, and Johnne Symontoun of that Ilk, and become cautionaris and souerteis, conjunctlie and severalie, for Sir James Dowglas of Drumlangrig Knycht, to entir him in ward within the Castell of Edinburgh, and thairin to remane during oure Soveranis will, upoun viii dayis warning, quhen evir it sall pleis oure saidis Soveranis to caus the said Sir James Dowglas be requirit thairto, undir the pane of four thowsand markis; and the said Sir James Dowglas obleissis him to releif the saidis cautionaris of the souertie abonewrittin, as efferis be thir presentis, subscrivit with thair handis at the Castell of Edinburgh, day and yeir foirsaidis.

Apud Edinburgh, yigesimo die mensis Aprilis, anno Domini millesimo quingentesimo sexagesimo sexto.

Sederunt. Georgius Comes de Huntly. Joannes Comes de Atholl. Georgius Comes de Caithnes. Joannes Dominus Flemyng. Episcopus Candide Case. Thesaurarius. Prepositus de Edinburgh.

Wynis. The Lordis of Secreit Counsall having considderatioun how oure Soveranis hous wes empty and desolat of wynis, quhilkis necessarlie behuvit to be provydit, and the reddiest wynis liand in the toun of Leyth, takin up to that effect, commandit four tunnis of wyne to be ressavit fra Richert Andirsoun, and sevin tunnis half wyne fra Robert Johnnestoun, burgessis of Edinburgh; quhilkis personis willinglie at the saidis Lordis commandiment hes deliverit the abone nemmit quantitie of wynis to Leonard Baillie, summeleir to oure Soveranis, as his lettres of resset thairupoun presentit and considderit be the saidis Lordis beris; quhairfoir, ressoun and equitie wald that the saidis marchantis wer sufficientlie payit for thair saidis wynis deliverit be thame. The Lordis, eftir calculatioun how the saidis wynis mycht ressonablie be sauld, willing that nane of the subjectis be dampnagit or ressave skayth of thair Hienessis, ordanis the Comptrollar, his deputtis and place haldaris quhatsumevir, to mak gude and thankfull payment to the saidis Richert and Robert, ather of thame, for thair awin partis respective, of fiftie pundis money of this realme for ilk tun of the saidis wynis, deliverit be thame as said is betuix and the feist of Midsomer nixtocum, quhilk salbe weill and thankfullie allowit to the said Comptrollar in his comptis be the auditouris thairof; provyding that this present ordinance be na preparative nor alteratioun of the Quenis Majesteis price and privilege custumabill observit in tymes bipast.

Protestatio Advocati. The quhilk day, Maistir Robert Creichtoun, Advocat to oure Soveranis Lord and Lady, askit instrumentis, that the Baillies, ane part of the Counsall, and Commoun Clerk, of the burgh of Edinburgh, comperand in presens of the Lordis of Secreit Counsall; and being inquirit, grantit that thai had maid na actis nor ordinances upoun the prices of the wynis this instant yeir; and as for the cry and proclamatioun maid in thair names be the belman, it wes bot be word and na act nor writ maid thairupoun.

Haitleis. Anent oure Soveranis Lord and Ladiis lettres purchest be Alexander Haitlie of Lambdene, Archibald Haitlie his bruther, and the remanent of the surname of Haitleis, makand mentioun that quhair anent the deidlie feid standing betuix thame and the surname of the Burnfeildis, for the slauchtir of umquhile Stevin Burnfeild, youngar of Grenelawdene, as yit unrecounsalit; being callit and ressonit befoir us and Lordis foirsaidis, the offendouris offerit ressonabill assythement, lyke as thai ar yit reddie to do at the sycht and discretioun of ony twa Lordis of the Secreit Counsall as thair Majesteis will appoint, to decyde thairintill. And anent the charge gevin—to the said Stevin Burnfeild in Grenelawdene, William Burnfeild,

and Johnne Burnfeild his sonnis, Alisoun Makgill relict of the said umquhile Stevin Burnfeild youngar, as principallis, contenit in the saidis lettres, and als thir personis underwrittin gevin in bill of thair kin and freindis, viz., Andro Burnfeild in Pittillisheuch, James Burnfeild his bruther, James Burnfeild in Hassintoun, Robert Burnfeild in Toderik, Robert Burnfeild youngar his sone thair, Thomas Burnfeild in Quhitsyde, Cristell Burnfeild his bruther, Alexander Burnfeild in Eist Feild, Niniane Burnfeild, Alexander Burnfeild in the manis of Eist Gordoun, Adame Burnfeild in Hardakeris, Alexander Burnfeild his bruther, Nicholl Burnfeild alswa his bruther—to haif comperit befoir oure Soveranis and Lordis of thair Secreit Counsall, upoun the said sext day nixt eftir the charge, to answer to the said complaint undir the pane of rebellioun and putting of the dissobeyaris to the horne, with certificatioun to thame and thai failyeit, lettres sould be direct simpliciter to put thame to the horne, lyke as at mair lenth is contenit in the saidis lettres, executioun, and indorsatioun thairof; and albeit the saidis sext dayis be of lang tyme bipast, yit nane of the saidis personis comperit befoir the saidis Lordis except onelie the said Stevin Burnfeild of Grenelawdene, quha alswa departit befoir ony finall ordour or resolutioun takin with him. Quhairfoir the saidis Lordis of Secreit Counsall ordanis lettres to be direct to charge the personis abonewrittin, yit as of befoir, to compeir befoir oure Soveranis and Lordis of Secreit Counsall foirsaidis, at Edinburgh, or quhair it sal happin thame to be for the tyme, upoun the sext day nixteftir thai be chargeit, to answer to the said complaint, and to heir and se ordour takin for pacificatioun of the cuntre, and removing of the said deidlie feid, under the pane of rebellioun and putting of thame to the horne; with certificatioun to thame and thai failye, the said sext day being bipast, they salbe incontinent thaireftir denuncit rebellis and put to the horne, becaus thai wer chargeit heirto of befoir and they dissobeyit.

[24th April.—John Uddart becomes surety for Mr. John Sharp to compear before the Council, whereon Sharp is relieved of remaining within burgh of Edinburgh, and the act against him of 5th April is delete.]

[26th April.—John Lyndsay of Covington becomes security for William Campbell tutor of Cesnock to compear before the Council on six days' warning. Penalty £1000.]

Cautio Comitis Arraniæ. The quhilk day comperit thir personis underwrittin: thay ar to say nobill and mychty lordis; George Erle of Huntly etc. Chancellar, Archibald Erle of Ergyle, James Erle of Murray, Alexander Erle of Glencarne, Sir Johnne Maxwell of Terreglis Knycht, Johnne Archbischope of Sanctandrois, Claude Hammiltoun Dene of Dunbar, Alexander Hammiltoun of Inverwik, David Hammiltoun of Fingaltoun, Andro Hammiltoun of Goslingtoun, Johnne Hammiltoun of Stanehous, James Hammiltoun of Kincavill, Johnne Hammiltoun of Sammelstoun, James Hammiltoun of Leving-

stoun, Andro Hammiltoun of Lethem, Johnne Hammiltoun of Orbistoun, Robert Hammiltoun of Bathgat, Johnne Hammiltoun of Grange, Johnne Hammiltoun of Brumehill, James Hammiltoun of Rouchbank, Williame Baillie of Lamyngtoun, James Mureheid of Lawchop, James Hammiltoun of Garturke, James Hammiltoun of Bothwellhauch, Mongo Hammiltoun sone and apperand air to Williame Hammiltoun of Pardevin, Thomas Hammiltoun of Preistisfeild; and thair thai, and ilkane of thame, severalie for thair awin partis, ar becum cautionaris and souerteis actit in the bukis of oure Soveranis Lord and Ladiis Counsall for James Erle of Arrane, that he sall remane in Hammiltoun Castell and four mylis thairabout, induring oure said Soveranis will and plesour, or be fred be thair Majesteis thairfra; and siclyke, sall keip gude rewll in that menetyme, as appertenis ane trew obedient subject, and als sall reentir him agane in the castellis of Edinburgh, Dunbar, or Dunbartane, upoun xx dayis warning, gif thai sal happin to be requirit be oure saidis Soveranis, undir the pane of xx thowsand markis money; and the said James Erle of Arrane bindis and obleissis him, his airis and assignayis, to freith, releif, and keip skaythles the saidis cautionaris and souerteis, and every ane of thame, of the foirsaid soum and pane.

Relevaincy.

Be it kend till all men be thir present lettres obligatouris, me, James Erle of Arrane, to be bundin and obleist, and be the tennour heirof bindis and obleissis me, my airis, executouris, and assignayis, to the nobill Lordis and utheris my gude freindis undirwrittin [here follow the names of the cautioners recorded in the preceding obligation], in maner, forme, and effect as eftir followis: that is to say, forsamekill as my said maist honorabill freindis hes, at this present, be greit labouris and diligence, at oure Soveranis the King and Quenis Majesteis handis, procurit and obtenit my libertie and releif furth of the castell of Edinburgh, quhair I wes befoir captive be the space of four yeirs or neir thairby, and hes becumin souerteis severalie actit in the bukis of Secreit Counsall, that I sall remane and abyde in fre ward within the toun or castell of Hammiltoun and twa [four?] mylis thairabout, and on na wayis sall eschaip nor eschew, ay and quhill I be fred and relevit be oure saidis Soveranis, and that I sall keip gude rewll in the menetyme, and use myself as ane obedient subject to my Soveranis, and sall do na thing prejudiciall nor hurt of my hous and freindis, and sall reentir agane within ony of the castellis of Edinburgh, Dunbar, or Dunbartane, at quhatsumevir tyme it sall pleis thair Majesteis, upoun xx dayis warning, undir the pane of xx thowsand markis, as the said Act maid of the daît at Edinburgh the xxvi day of Appryle instant, the yeir of God $j^{m}v^{c}$ and sextie sex yeris at mair lenth beris and proportis in the self: Quhilk Act abonewrittin, and every point and claus in the samyn contenit, I bind and obleis me, my airis, executouris, and assignayis, be the fayth and trewth in oure bodiis, to obey, observe, fulfill, and keip, for the releif of my saidis freindis, cautionaris, and souerteis foirsaidis; and siclike sall obey, observe, use, and keip my freindis counsall in all sortis,

alsweill towart the behaviour of my body and use thairof as utherwayis; and sall nocht intromet with my Lord my faderis leving, distroy nor cut doun the woddis, parkis, deir thairin, cunyngaris, nor yit uther part thairof; attour, sall nocht troubill, inquiet, or molest my said Lord and faderis chalmerlanis, factouris, officiaris, nor na utheris personis intromettouris with his leving quhatsumevir pertening to him in ony tyme cuming, bot according to his directioun and plesour in all sortis lyke as salbe prescrivit to me be his directioun and writtingis; and gif it sal happin me, as God forbid, to contravene the directioun, counsall, and mynd of my saidis freindis in the premissis, or ony thing quhilk is for my weill, conforme to oure saidis Soveranis directioun; in that caise I am content, and be thir presentis consentis that my saidis freindis tak and reentir and put me within the castellis of Edinburgh, Dunbar, or Dunbartane, conforme to oure Soveranis plesour directioun and ordinance maid thairupoun: In witnes heirof, I haif subscrivit this my present obligatioun with my hand, at Edinburgh the xxvi day of Apprile, the yeir of God j^{m}v^{c} and sextie sex yeris, befoir thir witnessis, Johnne Erle of Mar, Lord Erskin, Alexander Erskin of Gogar, and Arthour Erskin of Blakgrange, his brethir.

Apud Edinburgh, penultimo Aprilis, anno, etc. lx sexto.

Sederunt. Georgius Comes de Huntly. Archibaldus Comes de Ergyle. Jacobus Comes de Murray. Alexander Comes de Glencarne. Willelmus Comes de Marschell. Gilbertus Comes de Cassillis. Joannes Maxwell de Terreglis, miles.

Huntly. The quhilk day, George Erle of Huntly, Lord Gordoun and Badyenoch, Chancellar, producit in presens of the Lordis of Secreit Counsall, ane lettre of the King and Quenis Majesteis, dischargeing Alexander Lord Hume, Sir Johnne Maxwell of Terreglis knycht, Johnne Gordoun of Lochinvar knycht, Alexander Stewart of Garleis knycht, Mathow Campbell of Lowdoun knight, and James Cokburne of Scraling, of the cautioun and souertie quhilk thai become conjunctlie and severalie for the said George Erle of Huntly Lord Gordoun, for the tyme, that he sould entir his persoun in ward within quhatsumevir ward thair Majesteis plesit command, upoun xx dayis warning, undir the pane of ten thowsand pundis,—exonerand and relevand thame and everie ane of thame of the samyn cautioun simpliciter in tyme cuming; and als ane uther lettre, commanding the clerk of Secreit Counsall and his deputtis, to deleit furth of the bukis of Secreit Counsall the Act maid thairin upoun the thrid day of August last bipast, anent the souerteis fund for re-entre of the said Erle of Huntly Lord Gordoun, for the tyme, in ward, as the saidis lettres at mair lenth beris, of the dait the xxvii day of Apryle instant; and according to the command of the saidis lettres, desyrit the saidis Lordis that be thair commandiment ane act and ordinance mycht be maid of the discharge of the saidis souerteis; quhilk desire thair Lordships finding ressonabill, according to oure Soveranis will and plesour declarit be thair saidis lettres, ordanis the said

Act and ordinance, maid the said thrid day of August, to be deleit and na executioun to pas upoun the samyn in tyme cuming.

[29th April.—George Maxwell of Neuwark, and John Sempill of Foulwod, become security that John Butter of Gormok shall remain in free ward in company with the Earl of Argyle, and not pass to the bounds of the Earl of Atholl.]

The quhilk day, James Lord Somervell become cautionar and souertie that the hous and castell in Kirkwall, within Orknay, pertening to Adame Bischope of Orknay, togiddir with the stepill of the cathedrall kirk of Orknay, being randerit and deliverit agane to the said Bischope and his servandis, sall thaireftir be suirlie kepit, and nane of oure Soveranis Lord and Ladiis rebellis be resset, ressavit, interteneit, or get ony refuge within the same—and in speciall Patrik Bellenden, his assistaris and partakaris—undir the pane of ane thowsand pundis. Cautio Episcopi Orchadensis.

And the samyn day, the said James Lord Somervell become souertie to present Williame Bothwell, James Alexander, and Petir Monypenny, servandis to the said Adame Bischope of Orknay, befoir our Soveranis Lord and Lady, and Lordis of thair Secreit Counsall, upoun the last day of May nix to cum, to answer to sic thingis as salbe laid to thair charge, undir the pane of fyve hundrith markis. And the samyn day the said reverend fadir Adame Bischope of Orknay, obleist him self to releif and keip skaythles the said Lord Somervell towart the premissis in all pointis, and thairto band him, his airis and executouris; in witnes of the quhilk thing the said Lord Somervell as cautionar, and the said reverend Fadir as principall, hes subscrivit this present, and gevin it to the Counsall to be insert in thair bukis, day, yeir, and place abonewrittin.

The quhilk day, James Mosman, goldsmyth burges of Edinburgh, become souertie for Thomas Achesoun, servand to Johnne Achesoun, maistir cunyeour, that he sall compeir befoir the Lordis of Secreit Counsall quhen he salbe requirit, upoun sex houris warning, undir the pane of Cautio Achesoun.

Apud Edinburgh, ultimo Aprilis, anno, etc. sexagesimo sexto.

Sederunt. Georgius Comes de Huntly. Jacobus Comes de Murray. Jacobus Comes de Bothwell. David Comes de Craufurd. Gilbertus Comes de Cassillis. Alexander Comes de Glencarne. Willelmus Comes de Marschell. Georgius Comes de Caithnes. Joannes Maxwell de Terreglis, Miles. Alexander Episcopus Candide Case. Episcopus Rossensis. Prepositus de Edinburgh. Joannes Commendatarius de Balmerinoch. Cancellarius Rossensis.

The quhilk day the Lordis of Secreit Counsall commandit Williame Lord Hay of Yestir Sheref of Peblis, personalie present, to serche, seik, tak, and Yestir.

apprehend, Hector Dowglas in Spittalhauch, and James Dowglas thair, oure Soveranis rebellis, and to do uttir and exact diligence to that effect, as he wald answer on his office.

Apud Edinburgh sexto Maii anno, etc. lx. sexto.

Sederunt. Georgius Comes de Huntly. Joannes Comes de Atholl. Georgius Comes de Caithnes. Alexander Episcopus Candide Case. Episcopus Rossensis.

Kynneir. Teling.

Anent the actioun caus and contraversie depending befoir the Lordis of Secreit Counsall, betuix Johnne Kynneir of that Ilk on the ane part, and Alexander Maxwell of Teilling, and Maistir David Spens Archedene of Dunkeld on the uther syde, anent the productioun befoir the saidis Lordis of the pretendit infeftment of fewferme maid be the said Maistir David to the said Alexander, of the landis of Preistoun of Teilling, pertening in tak and assedatioun to the said Johnne Kynneir, lyke as at mair lenth is contenit in the principall lettres rasit in the said mater and proces had thairupoun of befoir. Quhilk being callit upoun the xxv day of Januare last bipast, the samyn wes continewit to the first day of May instant; upoun the quhilk day throw sic impedimentis as occurrit for the tyme the mater mycht nocht be callit quhill now. The saidis Johnne Kynneir and Alexander Maxwell comperand bayth personalie, the Lordis of Secreit Counsall, with avyise and consent of bayth the partiis, continewis the said mater in the same forme force and effect as it is now, but prejudice of partie, unto the first day of August nixtocum, and ordanis the inhibitioun to the Thesaurare his register, and keparis of the Signet, Previe Seill and great Seill, tuicheing the staying of the confirmatioun of the said infeftment, to tak place force and effect as of befoir, quhill the finall resolutioun be takin quhethir the said pretendit infeftment sould be confirmit or nocht. All the saidis partiis warnit heirto apud acta.

Apud Edinburgh undecimo die mensis Maii anno Domini millesimo quingentesimo sexagesimo sexto.

Sederunt. Georgius Comes de Huntly. Archibaldus Comes de Ergyle. Jacobus Comes de Murray. Jacobus Comes de Bothwell. Joannes Comes de Atholl. David Comes de Craufurd. Georgius Comes de Caithnes. Joannes Comes de Mar. Joannes Maxwell de Terreglis, miles. Alexander Episcopus Candide Case. Episcopus Rossensis. Prepositus de Edinburgh. Joannes Commendatarius de Balmerinoch.

Devyse for Rebellis.

The quhilk day, forsamekill as oure Soveranis referrit to the Lordis of Secreit Counsall, to devyise the way how the personis rebellis, culpabill or suspect of the lait haynous attemptat perpetrat in thair Majesteis palice salbe ordourit. The Lordis thinkis expedient that all that wer of the devyse, counsall, or actuall at the committing of the slauchtir, salbe persewit be

ordour of justice, and the samyn scharpelie execute on thame; and as for the commonis and utheris that accidentlie come thaireftir to thair Majesteis palice, thay offerand to abyde the law for the devyise, counsaling, and actuall deid of the slauchtir, that than thair supplicationis be hard, and ordour takin with thame, owther be warding, banissing, or fyning be payment of sowmis of money.

Charge on Pharnyhirst.

The Lordis of Secreit Counsall ordanis the maser of Counsall to pas, and in the King and Quenis Majesteis name and autoritie, command and charge Thomas Ker of Pharnyhirst knycht, to find sufficient souerteis,—burgessis of Edinburgh, or utheris substantious inlandit men, poindabill,—that he, be himself and all that he may let, sall nocht invaid molest or persew Dame Kathrene Ker, his modir, hir bairnis and servandis, in bodiis possessionis and gudis, be force and way of deid, undir the pane of fyve thowsand markis money of this realme, to be payit, the ane half thairof to oure Soveranis use, and the uther half to the behuif of the said Dame Kathrene, his modir; and that he find the saidis souerteis betuix this and Mononday the xiii day of Maii instant or nycht; or than that he within xii houris thaireftir pas and entir his persoun in ward within the castell of Blaknes, thair to remane upoun his awin expenssis, ay and quhill he haif fund the saidis souerteis, and be fred be thair Majesteis; undir the pane of tressoun, and that he cum to the Secretare or his deputtis, keparis of the signet, and ressave lettres for his ressait in ward within the said castell, and that he on na wayis depart quhill owther he haif fund the saidis souerteis, or than haif enterit his persoun in ward, eftir the forme and tennour of this ordinance, and of oure Soveranis will and commandiment declarit in thair writting in this behalf, undir the pane foirsaid.

Cesfurde. Farnyhirst.

The quhilk day, anent the complaint maid be Sir Walter Ker of Cesfurde, knycht, Wardane of the Middill Marchis of this realme, makand mentioun,—that quhair he and the wardane of Ingland hes appointit the xiiii day of Maii instant to meit at the day of trew at the Scawfurde for delivering of billis fylit on ather syde,—amangis the quhilkis thair is ane bill fylit upoun Thomas Rutherfurde, sone to George Rutherfurde of the Grange, servand to Sir Thomas Ker of Pharnyhirst knycht, for sex oxin of ane Maistir Anisleyis, Inglisman, as at mair lenth is contenit in the said complaint. The said Sir Thomas being callit in presens of the Lordis of Secreit Counsall, command wes gevin to him be thair Lordships to deliver the said Thomas Rutherfurde to the said Sir Waltir, Wardane foirsaid, upoun the said xiiii day of Maii instant, to be enterit be him to the oppositt wardane of Ingland, for discharge of oure Soveranis and thair said Wardane of the bill abone writtin, as the said Sir Thomas wald answer upoun his dewitie and allegeance to thair Majesteis.

Erl Ergile. John Stewart.

The quhilk day, forsamekill as it hes plesit the Quenis Majestie to accept upoun hir Hienes the decisioun of all contraversiis and debaittis standing

betuix ane nobill and mychty lord, Archibald Erle of Ergyle Lord Campbell and Lorne on the ane part, and Johnne Stewart of the Appin on the uther syde; thairfoir the saidis Erle and Johnne comperand in presens of the Lordis of Secreit Counsall, promittit and obleist thame that thai, be thame selfis, thair kin, freindis, tenentis, and servandis sould on na wayis invaid, molest, nor persew utheris be force and way of deid, unto the tyme hir Majestie haif discussit and decydit the saidis contraversiis and debaittis as appertenis.

Apud Edinburgh, xiii die mensis Maii, anno, etc. lxvi.

Sederunt. Domini ut in die predicto.

Closberne. His Wyff.

The quhilk day, anent the complaint maid be Roger Kirkpatrik of Cloisburne, makand mentioun, that quhair Elizabeth Hammiltoun his spous,—allegeand that he is decernit to pay to hir viii ß. everie day for hir expenssis during the tyme of the pley of divorcement, dependand befoir the Commissaris of Edinburgh, betuix him and hir, extending to ane hundrith ten pundis; and that he hes deforceit the officiaris in poinding, and dissobeyit twa writtingis of oure Soveranis direct to him, quhilkis ar nocht of veritie,—hes obtenit command to ane maser, allegeit gevin be our saidis Soveranis and the saidis Lordis, and thairwith causit charge the said Roger, to mak hir payment of the said soum, and als to entir his persoun in ward within the Castell of Blaknes, thair to remane upoun his awin expenssis, with ane paige allanerlie, ay and quhill schö be satisfeit, within xxiiii houris nixt eftir the charge, undir the pane of horning and tressoun,—quhilk ordinance is wranguslie and evill gevin without cognitioun of the caus. And anent the charge gevin to the said Elizabeth, to compeir befoir oure Soveranis and Lordis of thair Secreit Counsall this day, to answer to the said complaint, lyke as the samyn and executioun thairof at mair lenth beris; the saidis Roger and Elizabeth comperand bayth personalie; thair ressonis and allegationis being hard, sene, and undirstand to the saidis Lordis, and thai ryplie avysit thairwith. The Lordis of Secreit Counsall suspendis the effect of the said charge sa far as the said pane of tressoun is contenit thairin simpliciter in tyme cuming; and als, with the said Rogeris awin consent, decernis and ordanis him to content and pay to the said Elizabeth the soum of fourty pundis within sex dayis eftir the dait heirof, and the remanent of the soum abonewrittin restand awand unpayit betuix and Witsonday nixtocum, or sex dayis thaireftir at the farrest; and for suir payment thairof, that he find sufficient souerteis, burgessis of Edinburgh, actit in the bukis of Secreit Counsall, undir the panis of poinding or horning, within the said space of sex dayis nixtocum; quhilk souertie being fundin, suspendis the said haill charge, effect thairof and proces, alsweill of horning as tressoun, simpliciter in tyme cuming.

Apud Edinburgh, xiiii Maii, anno, etc. lxvi.

The quhilk day, Robert Craig, burges of Edinburgh, become souertie for Adame Bischop of Orknay, that the twa part of the victualis and frutis of the bischoprik of Orknay, of the crope and yeir of God $j^{m}v^{c}lxv$ yeris, salbe furthcumand to the Comptrollar, in caise it be fund be the Lordis of Secreit Counsall that he hes rycht and entres thairto, and the said bischope obleist him to releif the said Robert. Cautio Episcopi Orchadensis.

Apud Edinburgh, decimo nono Maii, anno, etc. lxvi.

Sederunt. Georgius Comes de Huntly. Alexander Episcopus Candide Case. Episcopus Rossensis. Advocatus. Prepositus de Edinburgh.

The quhilk day, anent the supplication presentit be George Erle of Caithnes, makand mentioun, that quhair it plesit oure Soveranis Lord and Lady to mak and constitute him thair Justice in that part, within the boundis of the diocie of Caithnes, fra Portinculter to Pentlandfirth, and fra the eist sey to the west sey, for punissing of evill doaris within the saidis boundis, as thair Majesteis commissioun grantit to him thairupoun mair fullelie proportis; conforme to the quhilk, he apprehendit certane malefactouris within the boundis foirsaidis, and for keping of gude rewll in the cuntre, he tuke plegeis of thame, quhilkis he hes kepit this lang tyme bipast. And trew it is that in the commissioun grantit to him, it is nocht expreslie mentionat that he may tak the saidis plegeis, and yit of ane gude mynd, and for lufe he buir to the quietnes of the cuntre, he tuke the saidis plegis, and belevis suirlie, that albeit the samyn be nocht in wordis expressit in the said commissioun, yit he mycht for the weill of the cuntre; and sen the taking of the saidis plegis, the personis for quhome the plegis wer ressavit hes committit diverse faltis and offenssis, doand thairthrow that in thame lyis to brek the cuntre; and in lykemaner he being commandit be oure saidis Soveranis to repair to thair Hienessis at his cuming furth of the cuntre, he maid certane justice deputtis to him within the boundis foirsaidis, nochtwithstanding that his said commissioun gevis him nocht power thairto; and gif he had nocht sa done, it wald haif bene occasioun in his absence to the haill cuntre to haif brokin; and thairfoir desyrit declaratioun of the Lordis of Secreit Counsall, gif be his said ommissioun he mycht justlie tak the saidis plegeis and constitute the saidis deputtis. The Lordis of Secreit Counsall, eftir sycht and consideratioun of the said complaint, fyndis and declaris that the said George Erle of Caithnes be the taking of the saidis plegeis, hes na wayis transcendit the boundis of his commissioun abonewrittin, bot thairin done gude service to oure Soveranis, and convenient for the commoun weill and quietnes of the cuntre; and nochtwithstanding that speciall power to mak Deputtis is nocht contenit in the said commissioun, yit in respect of the said Erllis awin actuall presens in oure Soveranis service, and that he constitute the saidis deputtis Erl Cathnes.

of gude mynd for quietnes of the cuntre, the saidis Lordis declaris that he thairin hes committit na offence, nor sall incur na skayth thairthrow, and in tyme cuming thinkis necessar that the said Erlis commissioun be reformit and the abone writtin claussis specialie to be insert thairin.

Apud Edinburgh, xxi Maii anno, etc. lxvi.

Sederunt. Georgius Comes de Huntly. Joannes Comes de Atholl. Georgius Comes de Caithnes. Alexander Episcopus Candide Case. Episcopus Rossensis. Joannes Commendatarius de Balmerinoch. Clericus Justiciarie. Cancellarius Rossensis.

Duirhame. Lovell.

The quhilk day, forsamekill as anent oure Soveranis Lord and Ladiis lettres purchest and obtenit be James Durehame in Pettarro, makand mentioun, that quhair Henry Lovell of Ballumby hes diverse tymes, accumpaneit with his servandis and complices in weirlyke maner, cumin to the toun and hous in Pettarro, quhair the said James dwellis, and serchit him for his slauchtir, but ony maner of occasioun owther in word or deid gevin be him to the said Henrie; and last of all upoun Twysday the xxiii day of Apprile last bipast, the said Henrie accumpaneit as said is, with lang culveringis halbertis and utheris wappynnis invasive, to the nowmer of sex personis, come to the said James dwelling hous foirsaid—the said Henrie havand xii uther personis or thairby laid at await for the said James be gait sydis and on knowis about—and than enterit in his said hous, and serchit him thairin to haif slane him, and thraitnit and boistit his wyff, with crewell wordis. And he being absent at the plesour of God, swa that the said Henrie could nocht than cum to his purpois aganis the said James awin body, he than enterit in his berne and thair his barneman being threscheand and laubourand sark allane, he crewellie invadit him and straik him throw the heid with ane quhinyear; quha now lyis in point of deid, and as apperis will nocht leif; and als than straik ane uther of the said James servandis with bauch strakis, and brak ane greit staff upoun him, quhairthrow he yit lyis, and dow nocht ryise out of his bed; committand thairthrow hamesuckin, forthocht fellony, and manifest oppressioun upoun the said James lyke as the said Henrie hes done to sindry utheris of the cuntre as is notourlie knawin; lyke as thair wer nowther Prince, law, nor justice within this realme, bot that it wer lesum to everie tyranne to impyre tyrannouslie, abone the sobir men dwelland besyde thame. Now forder, the said Henrie hes sensyne allowit the said James deid opinlie in the tolbuith of the burgh of Dunde, swa that the said Henrie be sic a crewell man as he is knawin, and the said James ane sobir pover gentilman is flemit fra his awin hous, and dar nocht resort thairto, nowther be day nor nycht, and standis continewalie undir feir and danger of his lyff, bot ony maner of offence or occasioun on his part as said is. Quhilkis crymes being sa odious and dangerous in ane incuntre, quhilk sould be peciabillie preservit in peace, cravis of all equitie tymous and scharp remeid to be put thairto, alsweill for the sauftie of the haill

pover commonis fra sic oppressioun of him, and utheris sic crewell tryrannis, as for remeid and releif to the said James in tyme cuming. And anent the charge gevin to the said Henry Lovell of Ballumby to compeir befoir oure saidis Soveranis and Lordis of thair Secreit Counsall upoun the ferd day next eftir the charge, to answer to the said complaint undir the pane of rebellioun and putting of him to the horne, with certificatioun to him and he failyeit, lettres sould be direct simpliciter to put him to the horne, lyke as at mair lenth is contenit in the saidis lettres; the said James Durehame comperand personalie, and the said Henrie Lovell oftymes callit and nocht comperand, the Lordis of Secreit Counsall ordanis lettres to be direct to charge the said Henrie Lovell, yit as of befoir, to compeir befoir oure saidis Soveranis and Lordis of thair Secreit Counsall, at Edinburgh, or quhair it sal happin thame to be for the tyme, upoun the sext day nixt eftir he be chargeit thairto, to answer to the said complaint undir the pane of rebellioun and putting of him to the horne; and gif he failye thairin, the saidis dayis being bipast, to denunce him rebell, and put him to the horne, and to escheit, etc.; becaus the said Henrie wes chargeit heirto of befoir undir the pane of rebellioun, with certificatioun as said is, and dissobeyit.

The quhilk day, Williame Edmonstoun of Duntreth, comperand in presens of the Lordis of Secreit Counsall, grantit that he had Neill Makgilvarthar in his handis, and thairfoir the said Williame wes commandit to retene and keip him, as he wald answer to our Soveranis upoun his dewitie, quhilk he undertuke to do. Duntreyth. St. Colme.

Apud Edinburgh, xxiiii die mensis Maii, anno, etc. lxvi.

Sederunt. Georgius Comes de Huntly. Joannes Comes de Atholl. Georgius Comes de Caithnes. Episcopus Rossensis. Episcopus Candide Case. Thesaurarius. Clericus Justiciarie. Advocatus.

The quhilk day, in presens of the Lordis of Secreit Counsall, George Erle of Caithnes, oure Soverannis Justice within the boundis of the diocie of Caithnes be thair Majesteis commissioun specialie constitute, exponit and declarit how he, be vertew of his commissioun, had takin and apprehendit Andro Murchosoun suspectit and delaittit of diverse crymes and enormiteis; of the quhilkis all he wes acquyte, except of the oppressioun committit upoun Williame Caddell in Auldwik in the reif and awaytaking fra him of certane plaittis, chandellaris, and insycht gudis; quhairfoir the said Andro wes put in our Soveranis will. Quhilk mater being reportit to thair Majesteis, thair Hienessis, with the avyise of the Lordis of thair Secreit Counsall, declaris thair will that the said Andro salbe banneist furth of the boundis of the haill Sherefdome of Inuernes, and on na wayis returne within the samyn during the space of ane yeir eftir his departing furth of the same; and ordanis the said Erll, Justice foirsaid, to ressave sufficient Declaratioun voluntatis penes Murchosoun.

cautioun of the said Andro, that he sall depart and remane exylit furth of the said Sherefdome during the said space; and als that eftir his returning, he sall behave himself honestlie, and commit na crymes nor offenssis thaireftir during his liftyme, undir the pane of fyve hundrith markis. 1566.

Hunthill. Edyarstoun. The quhilk day, in presens of the Lordis of Secreit Counsall, comperit Johnne Rutherfurde of Hunthill, and Richard Rutherfurde of Edyarstoun, and wer commandit and chargeit as followis: That is to say, the said Johnne Rutherfurde to entir Sym Oliver, Cuddy Hendirsoun, and Mathow Dowglas; and the said Richert, to entir Martine Dowglas at Howunturk, to Sir Walter Ker of Cesfurd Knycht, Wardane of the Middill Marchis of this realme, for his releif at the nixt day of Marche, as thai wald answer to oure Soveranis thairupoun.

Cambusnethane. The quhilk day, in presens of the Lordis of Secreit Counsall, comperit Johnne Somervell of Cambusnethane, according to the command of oure Soveranis lettres to answer to sic thingis as sould be laid to his charge, and protestit that he sould nocht be haldin to compeir quhill he wer newlie warnit.

Apud Edinburgh, primo die mensis Junii, anno, etc. lxvi.

Sederunt. Georgius Comes de Huntly. Joannes Comes de Atholl. Georgius Comes de Caithnes. Clericus Registri. Episcopus Candide Case.

Orknay. The quhilk day, Adame Bischop of Orknay askit instrumentis, that he presentit befoir the saidis Lordis, Williame Bothwell, James Alexander, and Petir Monypenny; and protestit that the Lord Somervell souerte for thair entre wer relevit.

The samyn day, James Cokburne of Scraling become souertie to entir the saidis Williame Bothwell, James Alexander, and Petir Monypenny befoir the saidis Lordis, upoun the tent day of Junii instant, undir the pane contenit in the Act maid thairupoun.

Apud Edinburgh, octavo die mensis Junii, anno, etc. lxvi.

For Rebellis. Forsamekill as it is humelie menit and complenit to oure Soveranis Lord and Lady be Maisteris Johnne Spens of Condy and Robert Creichtoun of Elyok, thair Advocattis,—that quhair James Erle of Mortoun, Patrik Lord Lindesay of the Byris, Williame Maistir of Ruthven, Williame Dowglas of Quhittinghame, Maistir Archibald Dowglas his bruther, James Giffert of Sherefhall, Johnne Creichtoun of Bruntstoun, James Johnnestoun of Elphinstoun, Andro Ker of Fawdounsyde, James Somervell of Humby, David Somervell, Patrik Somervell his bruther, Patrik Bellenden of Stane-

hous, George Dowglas callit the Postulat sone naturall to umquhile Archibald Erle of Angus, Alexander Ruthven bruther to umquhile the Lord Ruthven, Patrik Murray of Tibbermire, Maistir Thomas Dowglas of Clapertoun, James Dowglas of Knychtisrig, Johnne Dowglas in the Scheill, James Johnnestoun of Westraw, Johnne Carmichaell youngar of that Ilk, Archibald Carmichaell his bruther, Hector Dowglas in Spittalhauch, James Dowglas thair, Andro Dischingtoun bruther to the Lard of Ardross, Robert Lermonth in Drem, Johnne Mowbra in Deyn, Patrik Wod of Bonytoun, Alexander Guthre burges of Edinburgh, Williame Johnnestoun bowar thair, Andro Armistrang thair, James Young cutlar thair, Thomas Broun cordinar thair, Williame Cheyn, etc.—with diverse utheris thair complices—ar lauchfullie denuncit rebellis and put to the horne for noncompering befoir thair Majesteis and Lordis of thair Secreit Counsall, to answer to sic thingis as sould be laid to thair chargeis, as in the lettres direct thairupoun mair fullelie is contenit. And albeit the saidis rebellis be delaittit of the vyle and tressonabill slauchtir of umquhile David Riccio, thair Majesteis Secretarie in Franche, committit in thair Hienessis presens within thair Palice of Halieruidhous, and als of the tressonabill keping and halding of the Quenis Grace persoun in captivitie and firmance, and of sindry uther abhominabill crymes; and that thairthrow it pertenis to the shereffis, stewartis, and baillies of the haill realme, bayth to burgh and to land, within Regalitie and Rialtie, for to serche, seik, tak, and apprehend the saidis rebellis and bring thame to the justice to be puneist for thair demeritis according to the lawis of this realme; nochtwithstanding oure Soveranis as yit can persave lytill or na executioun of thair devoir and offices in that part, quhairthrow the saidis rebellis sparis nocht to remane within this realme, and to hant and resort quhair thai pleis in manifest contempt of our Soveranis auctoritie, lyke as alswa diverse utheris thair Majesteis liegis contrair thair dewitie ceissis nocht to resset, harbry, and supple the saidis rebellis with meit, drink, ludgeing, and utheris necessaris, and to intercommoun with thame in tressonabill maner in manifest vilipending of thair Hienessis autoritie and lawis of the realme. Quhairfoir thair Majesteis ordanis lettres to be direct to officiaris of armes, to pas and, in thair Hienessis name and autoritie, command and charge all and sindry the liegis of this realme, that thai and ilkane of thame ceise and abstene fra all forder ressetting, suppleing, supporting, or intercommoning with the saidis rebellis in tressonabill maner, undir the pane to be callit thairfoir, and puneist as art and part with thame in thair tressonabill and wickit deidis with all regour, conforme to the lawis and practik of this realme; and als to charge all and sindry the shereffis, stewartis, and baillies within this realme to pas, serche, seik, tak, and apprehend the saidis rebellis and bring thame to the Justice to the effect abonewrittin; and to that effect thair Majesteis, be thir presentis, committis full power to the saidis shereffis, stewartis, baillies, to mak convocatioun of thair Majesteis liegis in weirlyke maner, and to invaid the saidis rebellis within and without strenthis as best sall serve for the purpois and conforme to the Actis of

Parliament maid thairanent, quhairintill gif the saidis officiaris salbe fund remysse and negligent, thay salbe puneist as favouraris and plane partakaris with the saidis rebellis in thair rebellioun and wickit deidis.

Apud Edinburgh, decimo die mensis Junii, anno, etc. lxvi.

Cautio Douglas. The quhilk day, Johnne Carmichaell of that Ilk become cautioun and souertie for Johnne Dowglas in Glaspen, that he sall entir his persoun in ward within the Castell of Edinburgh, quhen he salbe requirit thairto upoun sex dayis warning, undir the pane of ane thowsand pundis.

Apud Edinburgh, xv Junii, anno, etc. lxvi.

Sederunt. Georgius Comes de Huntly. Archibaldus Comes de Ergyle. Jacobus Comes de Murray. Joannes Comes de Atholl. Joannes Comes de Mar. Alexander Episcopus Candide Case. Episcopus Rossensis. Clericus Justiciarie. Advocatus. Prepositus Edinburgh.

Flemyng. Creychtoun. Anent the complaint gevin in be Williame Flemyng burges of Edinburgh, makand mentioun that quhair Niniane Creichtoun in Carne, Robert Creichtoun, Andro Creichtoun brethir germane, and Robert Creichtoun thair bruther naturall, with thair complices, invadit the said Williame upoun the ferd day of Junii the yeir of God j^{m}v^{c}lxiii yeris, and left him for deid, and mutilat him in his rycht arme, quhairthrow he is impotent and unabill to wirk for his leving; and incontinent eftir his mutilatioun he rasit lettres upoun the saidis personis, to caus thame undirly the law for the foirsaid cryme, quha on na wayis wald find souertie, and thaireftir wes put to the horne; and continewalie sensyne hes undirlyne the same be the space of twa yeris bigane, reparand dalie in cumpany with Edward Lord Creichtoun, Sheref of Drumfreis, and within twa mylis to his dwelling place of Sanchair; and the said Sheref being chargeit sindry tymes to haif tane the foirsaidis personis, and to haif usit justice upoun thame, or ellis to haif presentit thame to our Soveranis Lord and Ladiis Justice or his deputtis, to be puneist for the crymes abonewrittin undir sindry panis of rebellioun, tinsall of his office and diverse utheris panis; and laitlie he wes chargeit to haif comperit befoir the Lordis of Secreit Counsall the penult day of Apprile or thairby last bipast, to haif answerit for his contemptioun in maner abone rehersit; and thairfoir our Soveranis Lord and Lady directit thair charge upoun the first day of Maii last bipast be the Persoun of Sanquhair, and the samyn wes presentit upoun the thrid day of the samyn month, be the quhilk he wes chargit to haif comperit befoir thair Majesteis and Lordis of Secreit Counsall to haif answerit upoun the crymes abonewrittin; quha hes allutirlie dissobeyit the same, and in manifest takin of dissobedience hes send sensyne his writting to Maistir Robert Creichtoun, requiring him to allege sum frivole caus to the said Lordis for his excuise; and swa our Soveranis is planelie contemptit and na justice

done upoun the foirsaidis personis, committaris of the crymes abone rehersit, in maner foirsaid; and in the menetyme the said Williame put to extreme heirschip but ony satisfactioun. And anent the charge gevin to the said Edward Lord Creichtoun to compeir befoir the saidis Lordis this day to answer to the said complaint, and that he on na wayis depart furth of Edinburgh quhill he haif answerit to the samyn, lyke as at mair lenth is contenit thairintill. Bayth the partiis comperand personalie, thair rychtis ressonis and allegationis, being hard sene and undirstand to the saidis Lordis, and thai ryplie avysit thairwith; the Lordis of Secreit Counsall commandit and chargeit the said Edward Lord Creichtoun personalie present, to serche seik tak and apprehend the saidis personis, rebellis, and present thame to our Soveranis Justice to be puneist for thair demeritis betuix the dait heirof and the aucht day of Julii nixtocum; or ellis that he, upoun the samyn aucht day, compeir personalie befoir our Soveranis and thair Lordships and schaw his exact diligence done to this effect, as he wald answer on his dewitie and allegeance to thair Majesteis, and undir all hieast pane and offence that he may incur, being fund negligent in this behalf; with certificatioun to him and he failyeit, oure Soveranis and thair Lordships wald proceid and tak ordour heirintill, in sic maner as justice mycht tak place, and thair Majesteis authoritie be obeyit.

Fischear. Acheson.

The quhilk day, anent the complaint maid be Janet Fischear, wedo relict of umquhile Johnne Achesoun burges of Edinburgh, and Johnne Achesoun his sone and air,—makand mentioun that quhair hir said umquhile spous, lang befoir his deceis—quha wes slane undir oure Soveranis baner in the Feild of Pinkecleuch—obtenit ane thrid of the landis of Poikmyln—with the pertinentis, liand within the sherefdome of Perth, in heretage, haldin of thair Majesteis, and the uther twa thridis thairof in assedatioun, to him and the said Jonete Fischear, his spous, for thair lyftimes, and to ane air eftir thame,—of the Abbot and Convent of Scone; be vertew quhairof hir said umquhile spous—to his deceise undir our said Soveranis baner as said is, and schö sensyne—hes broukit the saidis landis; schö as yit having the rycht thairto during hir tyme, and the said Johnne hir sone and air eftir hir for his tyme. Alswa oure saidis Soveranis, in favouris of the kyndlie tenentis of Kirklandis, hes maid actis that the samyn be nocht set in few or lang takkis owir thair heidis without thair Majesteis licence thairto. This being undirstand to the saidis complenaris, thai travellit with Patrik Bischope of Murray, Commendatare of the said Abbay of Scone, for the few of the twa thrid partis of the landis foirsaidis, quhairof thai haif auld takkis, and yit to rin for thair liftymes, as said is, and offerit him in compositioun xxx markis for ilk mark of maill, howbeit the extremitie of the law gevis bot xx markis for ilk mark land in heretage, without payment of few maill out of the samyn; yit nochtwithstanding all thir premissis, he nocht onelie aganis the tennour of the saidis Actis, bot upoun prevat effectioun, hes set the saidis landis in few to his naturall sone, Adame Hepburne, utterand and declarand planelie thairthrow that the

saidis complenaris sal haif na favour, bot extremitie and troubill of him; swa that now abydis na uther releif to thame bot to sute our saidis Soveranis, being the patronis and sauftie of the pover wedois and fadirles, nocht doubting bot in consideratioun of the saidis complenaris auld kyndnes, purchest be hir said umquhile husband, thai sall ressave help and support of thair Hienessis of this thair necessitie. The Lordis of Secreit Counsall, eftir consideratioun of the mater, ordanis the Lordis Commissioneris for confirmatioun of the fewis nocht to compone nor speid ony confirmatioun upoun the few abonewrittin; and als ordanis the keparis of the seillis that thai on na wayis append thame thairto unto the tyme that bayth the saidis partiis be hard in presens of the saidis Lordis, and thair declaratioun hard thairupoun.

Apud Edinburgh, xviii Junii, anno, etc. lxvi.

Sederunt. Domini ut in die predicto.

Touart Officiaris of Armes.

The quhilk day, it wes menit and exponit to the Lordis of Secreit Counsall be Maistir Robert Richertsoun, Commendatare of Sanct Marie Ile, Thesaurare to our Soveranis; that albeit it be ordanit for the punisement of personis quhilkis wilfullie contempnis our Soveranis authoritie and passis to the horne, that the officiaris executouris of the lettres incontinent eftir the denunciatioun of quhatsumevir personis to the horne, and committing of deforcementis in using and executioun of lettres of poinding, sall present the copy of the lettres with the executionis and indorsationis thairof to the Sheref of the schyre, to the effect that inventure may be maid of the gudis of the rebellis and personis deforcearis, and ane uther copy of the samyn subscrivit attentiklie be the officiar executor thairof, to the Thesaurare or his clerkis, within viii dayis nixt thaireftir, to the effect that thair eschetis may be uptakin and inbrocht to oure Soveranis use; nevertheles the said ordinance hes bene and is planelie abusit and neglectit, and nowther obeyit be the officiaris, executouris of the lettres, nor the sheriffis, chieflie be the occasioun of the misknawlege of the samyn, and that na punisement is usit on the personis transgressand; throw the quhilk negligence and oursycht oure saidis Soveranis authoritie and obedience of thair Majesteis lawis wilbe brocht in contempt, without remeid be provydit thairto. Thairfoir the saidis Lordis of Secreit Counsall ordanis lettres to be direct to mak publicatioun of the formar ordinance abonespecifiit, be oppin proclamatioun at all places neidfull, and to command and charge all and sindry officiaris of armes, shereffis, stewartis, baillies and thair deputtis, that thai, and everie ane of thame, put the foirsaid Act and ordinance to dew executioun in all poyntis, eftir the tennour thairof, and to bring and present to the said Thesaurare and his clerkis the attentik copyis of all maner of lettres of horning and poinding, with the executionis and indorsationis of quhatsumevir horningis and deforcementis quhilkis sal happin to be usit and execute be thame fra tyme to tyme, without ony delay, conforme to the said ordinance; with certificatioun that gif thai failye or salbe

fundin negligent or culpabill thairin, thay salbe depryvit frome all forder using of thair offices for thair liftymes, and puneist in thair personis with all regour and extremitie; and likewyise to require and command Lyoun King of Armes to do his exact diligence to caus the ordinance foirsaid be observit and kepit be quhatsumevir officiaris of armes within this realme, as he will answer to our Soveranis upoun his dewitie and diligence.

Anent oure Soveranis lettres purchest at the instance of Williame Kirkcaldy of Grange Knycht, makand mentioun, that quhair he hes the landis of Craigtoun and Newtoun of Auchtertullie with the pertinentis, pertening to him in heretage, liand within the sherefdome of Fyff, and befoir the feist and terme of Witsonday, the yeir of God $j^{m}v^{c}lxv$ yeris, he causit lauchfullie warne Jonet Towris and hir servandis, to flit and remove thame selffis, thair servandis, and gudis thairfra, at the said terme; and becaus thai violentlie occupiit and withheld the samyn fra him continewalie sen the seid terme, he callit and convenit thame thairfoir befoir the Sheref of Fyff and his deputtis; and eftir that the said mater wes procedit befoir thame, to the pronunceing of thair interlocutour thairin, the said Jonete and Robert Howburne hir spous, for his interes, purchest our Soveranis writtingis, allegeand thairin that it wes provydit be ane Act maid eftir the deceise of umquhile the Kingis Grace that last deceist, of gude memorie, be the Lordis of Secreit Counsall for the tyme, that kyndlie possessouris of stedingis sould nocht be removit be his familiar servandis without thai wer satisfiit for thair kyndnes, and that thairthrow the said mater sould be remittit to oure Soveranis and Lordis of thair Secreit Counsall; and thairfoir dischargeing the said Sheref and his deputtis of all proceding thairin. Howbeit in veritie the said Williame hes nocht onelie satisfiit the said Jonete for the kyndnes of the saidis landis, bot als hir uther sister for hir kyndnes thairof, as thair writtingis grantand the samyn beris; and thairfoir the saidis writtingis aucht and sould be suspendit simpliciter. And anent the charge gevin to the said Jonete, and hir spous foirsaid for his interes, to compeir befoir our saidis Soveranis and Lordis of thair Secreit Counsall this day, to heir the previe writtingis abonewrittin decernit be thair decreit to haif na place, with certificatioun to thame and thai failye the saidis Lordis will decerne in maner foirsaid; and ordanis the said Sheref and his deputtis to proceid in the said mater, nochtwithstanding the said previe writting or ony uther gevin or to be gevin for hindering of justice, lyke as at mair lenth is contenit in the saidis lettres, executioun and indorsatioun thairof. The saidis Williame Kirkcaldy persewar, and the said Robert Howburne spous of the said Jonete, comperand personalie, and the said Jonete being oftymes callit and nocht comperand, the rychtis, ressonis, and allegationis of the saidis partiis being hard, sene, and undirstand to the saidis Lordis, and thai ryplie avysit thairwith,—the Lordis of Secreit Counsall decernis the previe writting abonewrittin to haif na place, and ordanis the said Sheref of Fyff and his deputtis to proceid in the said Grange.

mater, nochtwithstanding the said previe writting or ony uther gevin or to be gevin for hindering of justice according to the desyir of the saidis lettres.

Men of Abirdene for the Cunyie.

The quhilk day, forsamekill as it is undirstand be certane informatioun maid alsweill to our Soveranis as to the Lordis of thair Secreit Counsall, that certane personis ar apprehendit within the burgh of Abirdene, quhilkis grantis the tressonabill hame bringing furth of the partis of Flanderis of fals fenyeit and corruptit cunye, and of the same tressonabill deid dilattis utheris thair companyeonis and partinaris, throw the quhilk, as this commoun weill hes bene greitlie hurt, and oure Soveranis and thair trew subjectis defraudit and skaythit, sa is it maist convenient that scharpe executioun be usit, and haistie justice ministrat, upoun the personis culpabill. Quhairfoir the saidis Lordis of Secreit Counsall hes thocht gude and expedient, that Maistir Robert Creichtoun of Elyoke, our Soveranis Advocat, accumpaneit with James Millar, writtar and depute to the Justice Clerk, pas with all gudlie diligence to the said burgh of Abirdene, and thair tak inquisitioun be all meanis possibill of the personis culpabill of the tressonabill fact abonewrittin; and the personis delatit and suspectit to put to the knawlege of ane assyise, according to our Soveranis commissioun to be gevin to the said Maistir Robert and certane utheris adjonit to him for this purpois; and that the Thesaurare pay to the said Maistir Robert and James thair ordinar wageis and chargeis, viz., to the said Maistir Robert dalie xl s., and to the said James dalie xx s., fra the day of thair departing to thair returning, and the samyn salbe allowit to him on his comptis be the auditouris thairof.

Apud Edinburgh, xxii Junii, anno, etc. lxvi.

Sederunt. Georgius Comes de Huntly. Archibaldus Comes de Ergile. Jacobus Comes de Murray. Joannes Comes de Atholl. Clericus Justiciarie. Clericus Registri. Advocatus.

Forbes. Moir.

Anent oure Soveranis lettres purchest be David Moir in Braidhauch, makand mentioun that quhair it is nocht unknawin to thair Majesties and Lordis of thair Secreit Counsall, the greit and lamentabill complaintis maid be him upoun Alexander Forbes of Auchintowill for the mutilatioun of the said David of his left arme and diverse utheris oppressionis committit upoun him, as at mair lenth is contenit in the saidis lettres; and anent the charge gevin to the said Alexander Forbes, to compeir befoir the Lordis of Secreit Counsall at ane certane day bigane, to answer to the said complaint; the said David Moir comperand personalie, and the said Alexander Forbes comperand be Maistir Alexander Skene his procuratour; thair rychtis, ressonis, and allegationis being hard, sene, and undirstand to the saidis Lordis, and thai ryplie avysit thairwith. The Lordis of Secreit Counsall, in respect of the povertie of the said David Moir, persewar, and of the notour oppressioun of the said Alexander, ordanis lettres

to be direct to charge the said Alexander Forbes to infeft be charter and sesing heretabillie in dew forme the said David Moir, his airis and assignayis, in all and haill his landis of Braidhauch, with the pertinentis, haldin of the said Alexander, blanche for payment of ane penny allanerlie, gif it beis requirit, at the feist of Witsonday; and to deliver the said infeftment be charter and precept of sesing in the maist suir maner, undir reversioun contenand the soum of thre scoir sevin markis to be maid be the said David to the said Alexander thairupoun within xv dayis eftir the charge, undir the pane of rebellioun and putting of him to the horne; and gif he failyeis thairin, the saidis xv dayis being bipast, to denunce him rebell and put him to the horne, and to escheit, etc.

Halyrudhous. Levingstoun.

The Lordis of Secreit Counsall, undirstanding the lait troubill and debait fallin betuix sum servandis of Robert Commendatare of Halieruidhous on the ane part, and sum freindis and servandis of Williame Lord Levingstonis on the uther syde, at Falkirk, upoun the day of Junii instant, throw the quhilk grittar inconvenient may apperandlie follow gif remeid be nocht provydit; quhilk thair Lordships ernistlie willing to foirse and to eschew the occasionis of ony new troubill and invasioun, ordanis lettres to be direct to officiaris of armes, Shereffis in that part, chargeing thame to pas to the marcat croces of Striviling, Falkirk, and all utheris places neidfull, and thair be oppin proclamatioun to command and charge bayth the said partiis, that thai nor nane of thame tak upoun hand to invaid, molest, or persew utheris be way of deid, or yit mak provocatioun of troubill in word, deid, or countenance unto the tyme that God mak thair Majesteis abill to resort within the said sherefdome of Striviling, undir the pane to be repute and haldin as seditious personis and troubillaris of the commoun quietnes, and to be puneist for the samyn with all extremitie in exempill of utheris.

Apud Edinburgh, xxviii Junii, anno, etc. lxvi.

Cautio Episcopi Orchadensis.

The quhilk day, James Lord Somervell become souertie for James Alexander, Williame Bothwell, and Petir Monypenny, servandis to Adame Bischope of Orknay, that thai sall compeir befoir oure Soveranis and Lordis of thair Secreit Counsall quhen thai salbe requirit upoun fiftie dayis warning, to answer to sic thingis as salbe laid to thair charge, ilk persoun undir the pane of ane hundrith markis.

And the said Adame Bischope of Orknay obleist him to releif the said James Lord Somervell of the souertie abonewrittin.

And siclike Williame Bothwell obleist him to releif the said James Lord Somervell of ane hundrith markis that he is obleist for, and for the quhilk the said Lord is bund for him.

Apud Edinburgh, xvi Julii, anno, etc. lxvi.

Sederunt. Georgius Comes de Huntly. Archibaldus Comes de Ergile. Jacobus Comes de Murray. Joannes Comes de Atholl. Joannes Comes de Mar. Episcopus Candide Case. Episcopus Rossensis.

Glencarne. Abbat of Kelso.

Forsamekill as it is menit and exponit to our Soveranis be Alexander Erle of Glencarne, how Maistir Williame Ker Commendatare of Kelso hes spokin of him infamy and wordis of dishonour unworthie to be rehersit, quhilk aucht nocht to pas owir untryit and unpuneist; thairfoir the Lordis of Secreit Counsall ordanis lettres to be direct to charge the said Maistir William to compeir personalie befoir our Soveranis and thair Lordships, at Edinburgh, or quhair it sal happin thame to be for the tyme, upoun the xxvii day of August nixtocum, to answer to sic thingis as salbe inquirit at him tuicheing the wordis spokin be him, undir the pane of rebellioun and putting of him to the horne; with certificatioun to him and he failye, the said day being bipast, lettres sal be direct simpliciter to put him to the horne; and forther, he salbe declarit infame, and in the speking of the saidis wordis untrew and a lear.

Apud Edinburgh, xvii Julii, anno Domini j^{m}v^{c}lxvi.

Halyrudhous. Lord Levingstoun.

The King and Quenis Majesteis, persaving the present estait of the sherefdome of Striviling, quhilk thair Hienessis wald wysche to remane in guide and perfyte quietnes, yit throw the particular querrellis, contraversiis, and debaittis laitlie fallin out betuix diverse partiis,—specialie Williame Menteith of Randyfurd, and diverse utheris servandis of Robert Commendatare of Halieruidhous on the ane part, and sum freyndis of Williame Lord Levingstoun on the uther syde—the said cuntre is greitlie perturbit, and grittar troublis thairupoun apparent to follow gif tymeous remeid be nocht provydit; and thairfoir ordanis lettres to be direct to charge the saidis partiis that thai, be thame selffis thair servandis kin freyndis tenentis and all that thai may let, desist and ceise fra all stop troubill injurie molestatioun persute or invasioun to utheris in bodiis or gudis, quhill the principallis haif comperit befoir the King and Quenis Majesteis and Lordis of thair Secreit Counsall, and that ordour be takin be thair Hienessis and Lordships for pacifeing of the said contraversie as appertenis, undir the pane of deid; with certificatioun to thame and thai do in the contrair, the said pane of deid salbe execute upoun the contravenaris with all regour in exempill of utheris.

That nane molest the Hieland men.

Forsamekill as throw the troublis occurring the last yeir, the inhabitantis of the cuntre of Ergile, Lorne, Braidalbane, Kintyre, and the Ilis, wer afferit to cum in the Lawland for feir of invasioun, and sic uther impedimentis as than occurrit; quhilk troubill, thankis to God, is quietit to the honour of oure Soveranis and welth of thair subjectis. And sen it is

nocht onelie neidfull that gude nychtbourheid and abstinence fra all displesour and invasioun be observit amangis the haill liegis bot that ather of thame sustene and releif utheris necessiteis be interchange of the excrescence and superflew frutis growand in the Laich and Hielandis, swa that necessarlie marcattis mon be kepit, and all men indifferentlie without exceptioun mon repair thairto for selling of thair gudis and bying agane of sic necessar as ar unto thame neidfull and requisite. Thairfoir ordanis lettres to be direct to officiaris of armes, chargeing thame to pas to the marcat croces of Perth, Striviling, Dunbartane, Renfrew, Glasgow, Irrwin, Air, and all utheris places neidfull, and thair, be oppin proclamatioun, command and charge all and sindry our Soveranis Lord and Ladiis liegis, that nane of thame tak upoun hand to invaid or persew utheris, quhethir thai be Heland men or Lawland, or to offer or mak provocatioun of troubill and tuilye to utheris, nochtwithstanding ony offence querrell or questioun falling in the tyme of the saidis troublis, undir the pane of deid; dischargeing all Shereffis, Stewartis, Baillies, and thair deputtis and officiaris, and all Provestis and Baillies of Burrowis, of all staying arreisting stop troubill or impediment making to the saidis Hieland men in bodiis or gudis, in thair cuming to the saidis marcattis, remaning thairin or departing thairfra, for ony cryme, actioun, caus, or occasioun committit during the tyme of the saidis troublis or proceding thairon, and of thair offices in that part, bot that all men persew justice be the ordinar civile maner as appertenis.

Apud Edinburgh, xxi Julii, anno, etc. lxvi.

Suspensioun that na thing be gevin gratis.

The King and Quenis Majesteis, undirstanding the present estait nocht onelie of the haill realme bot of thair awin effaris in particular, and how—thair Hienessis at the schameles and undiscreit asking of diverse thair subjectis ar oftymes movit to mak dispositioun frelie of that quhairon thair Majesteis awin leving consistis, alsweill in propirtie as casualiteis—this disordour hes sa lang continewit that be it greit confusioun is enterit; nevirtheles, willing yit to mak sum reformatioun befoir the mater grow to a plane abuse, thair Hienessis hes suspendit thair handis fra granting of ony giftis of eschetis, wardis, nonentressis, mariages, new infeftmentis, fewis, takkis, or uther thing quhatsumevir owther of thair propirtie or casualitie, quhairby thair Hienessis proffeit or rent may be in ony wayis diminissit or hinderit; and in caise thair Majesteis sal happin to pas and subscrive ony sic giftis or dispositionis gratis, it is thair Majesteis will and plesour, that in thair casualitie thair Thesaurare, and in thair propirtie or thridis of benefices thair Comptrollar, stop the samyn, and at the first sycht and presentatioun of thame ryve and cancellat sic writtingis, that na effect sall cum thairof in ony tyme thaireftir, nochtwithstanding ony charge or command, generall or speciall, gevin or to be gevin in the contrair, or ony panis contenit thairin. Anent the quhilkis thair Hienessis dispenssis and exoneris thair saidis Thesaurare and Comptrollar of the samyn, unto quhome thair Hienessis disponis thair saidis casualiteis and propirtie for payment

of the superexpenssis maid be thame in thair offices respective, for the space of ane yeir nix to cum, thay alwayis continewand in furnissing thair Hienessis houssis ressonabillie as of thair offices is dew; certifeing thame gif thai pas or obey ony gift or dispositioun gratis and without convenient compositioun, it salbe alwayis on thair awin perrell, and thai salbe haldin to mak compt and rekning of the samyn; nochtwithstanding the signature or gift be subscrivit gratis, or uther charge or command generall or speciall previe or patent gevin or to be given in the contrair.

That na remissionis be grantit.

The King and Quenis Majesteis, considdering how greitlie thai ar abusit in granting of remissionis to wickit menslayaris, murtheraris, and utheris unworthie personis, throw the quhilk mischeif incressis dalie to the greit unquietnes of the realme and hinderance of thair Hienessis service; and als this procedis of the inoportune and unressonabill solistatioun of diverse thair subjectis, quhilkis undir the name of abyding fra ane oist or uther lycht offence, with sic generall claussis comprehendis tressoun and schamefull murtheris. Trewth it is that thair Majesteis of thair clemencie hes bene crewell to nane, bot oftymes hes schawin mercie without occasioun to inrin. This hes nocht movit the wickit to desist frome thair mischeif, bot continewand in thair bluidy crueltie, thai ceis nocht dalie, without feir of God or thair Prince, and without respect of blude or uther kyndnes, unnaturallie to put handis ilkane in ane uther bludis as thair wer nowther law nor authoritie abone thair heidis; and it is manifest be sindry Actis of Parliament and utherwayis that thair Hienessis maist nobill progenitouris for the lyke occasioun hes suspendit thair handis fra granting ony remissionis; quhais exempill thair Majesteis presentlie followand, seing the dalie slauchteris and murtheris committit, hes suspendit and presentlie suspendis thair handis fra all granting of ony respectis, remissionis, or relaxationis of ony partiis fra the horne, for quhatsumevir caussis or occasionis, for the space of ane yeir nix to cum, without ony exceptioun; and eftir the outrynning of the said yeir, thair Majesteis hes commandit, and be thir presentis commandis thair Thesaurare, present and to cum, that he ou na wayis subscrive ony signature of remissioun, or respect, nor suffir the samyn to pas his register quhill the Lordis of Secreit Counsall, being present with thair Hienessis, haif sene and considderit the same remissioun or respect; and gif that thai find it tollerabill, that thai gif sum attestatioun on the back thairof, or utherwayis finding the same purchest on wrang narrative, undir the cullour of a lycht cryme to extend and serve the offendour for heich and grevous enormiteis, that than thai stop the samyn unto the trewth and circumstance be knawin, the veritie reportit to our Soveranis, and thair Hienessis will and plesour knawin thairin; dischargeing the keparis of the Signet, Previe Seill, and Greit Seill that thai pas na respectis, remissionis, nor relaxationis fra the horne without attestatioun on the back of thame, that it is sene be the Counsall and fund tollerabill to pas be thame, and that lettres be direct for publicatioun heirof in dew forme as efferis.

Proclamatioun of Justice Airis.

The King and Quenis Majesteis, considdering the present estait of thair realme, and the maist part of thair subjectis in all degreis bent to na thing ellis bot plane and manifest disordour and unquietnes, and fra notorious and commoun oppressioun to fall in crewell blude and murthure, nocht onelie of fremmit folkis bot thair awin nerrest kynnismen; thair Majesteis owir greit lenitie and formar mercie, schawin to sic offendouris, hes encouragit to wickit hartis of godles peopill to this unnaturall crueltie, for punissing quhairof and reduceing of the subjectis to quietnes, in punissing the injust and tyrannis, and preservatioun of the pover oppressit subjectis. Thair Majesteis, settand all uther wechtie effaris and besines asyde, intendis, God willing, in propir persoun to pas throw the haill realme, and be halding justice airis and justice courtis, to try everie mannis estait and conditioun, as he salbe fund innocent or gilty according to the lawis; lyke as thair Majesteis hes gevin speciall command to thair Justice, with all expeditioun to uptak the dittay, and swa to proceid to the punisement of all enormiteis. Thairfoir ordanis lettres to be direct to officiaris of armes, chargeing thame to pas to the marcat croce of Edinburgh and utheris places neidfull, and thair, be oppin proclamatioun, to mak publicatioun of this thair Majesteis determinat purpois and gude intentioun; and to command and charge all and sindry thair liegis and subdittis quhilkis hes to follow or defend in the saidis justice airis or courtis, that thai prepair and mak thame selffis in reddines thairfoir, and to do and performe that quhilk thai aucht, according to the diettis to be set and appointit be the Justice preceptis in the ordinar and commoun forme, as everie man will declair his awin part and innocency, and stand at his awin perrell.

Apud Edinburgh, xxiiii die mensis Julii, anno, etc. lxvi.

Charge to Randyfurde and his complices.

The King and Quenis Majesteis, considdering the mony lait sprung deidlie feidis debaittis and unnaturall contraversiis within thair realme, and in speciall having regard of the lait troubill fallin within the toun of Falkirk, betuix some servandis and freyndis of Robert Commendatare of Halieruidhous on the ane part, and sum freyndis—and of the surname—of Williame Lord Levingstoun on the uther syde; a querrell quhilkis thair Majesteis wald fayne se appeasit alsweill for bayth the partiis saikis that hes entres in it as for the cuntre quhairin the troubill is fallin, the inhabitantis quhairof hes alwayis continewit heirtofoir in the service of thair Hienessis and thair predicessouris. Yit thair Majesteis, willing bayth that justice to all thair subjectis be indifferentlie ministrat, as likewyise that all troubill and occasioun of disordour be afoirhand foirsene and premiditat, ordanit the said Robert Commendatare of Halieruidhous and Williame Menteith of Randefurde on the ane part, and the said Williame Lord Levingstoun on the uther syde, to compeir personalie befoir thair Majesteis and Counsall, to heir ordour takin anent the contraversie standing betuix thame. Quhilkis haill partiis comperand, and thair ressonis and allegationis hard and considderit, thair Hienessis and Lordis foirsaidis hes willit thame to haif justice as thai lyke

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to persew according to the lawis of the realme; and for eschewing of all troubill and occasioun of troubill that apperantlie may ryise betuix the saidis partiis, thair freyndis and assistaris, oure saidis Soveranis ordanis ane herauld, maser, or uther officiar of armes, to pas and charge the said Williame Menteith of Randyfurde, James Menteith, Patrik Menteith brethir Williame Menteith sone to Alexander Menteith of Mylhall, that thai, within xlviii houris nixt eftir the charge, entir thair personis in ward within the toun of Striviling, and on na wayis resort nor repair be eist the same toun, quhill thai be fred be thair Majesteis, undir the pane of tressoun; and als to charge the said Williame Lord Livingstoun, that he, nor nane of his kin freyndis surname assistaris dependentis or partakaris, on na wyise mak invasioun molestatioun or provocatioun of troubill, to the said Robert Commendatare of Halieruidhous, the said Williame Menteith of Randyfurde, thair kin freindis assistaris or partakaris, nor yit the tenentis and occupiaris of the landis of Carsgrange and pertinentis of the samyn, undir all sic pane and charge as be the generall band he may incur and inrin in this behalf; and forder undir the pane of incurring of thair Majesteis heich indignatioun and displesour; and als to charge and command the said Robert Commendatare of Halieruidhous, that he, be himself, his kin freindis assistaris dependentis and partakaris, on na wayis mak invasioun, molestatioun or provocatioun of troubill to the said Williame Lord Levingstoun, his kin freindis surname assistaris dependentis, or partakaris, undir the pane immediatlie abonespecifiit. And this Act and ordinance to induir quhill oure Soveranis and thair Counsall nixt reparing to the burgh of Striviling, and forder quhill thair Majesteis haif tane ordour in the contraversiis abonespecifiit, as is dew and convenient, and that lettres be direct heirupoun in forme as efferis.

Fair of Clakmannan.

The King and Quenis Majesteis, in considderatioun of the present troublis standing within the sherefdome of Clakmannane, ordanis lettres to be direct, chargeing thair traist cousing and counsalour, Johnne Erle of Mar, Lord Erskin, to hald, and caus be haldin, the fair of Clakmannane this instant yeir at the day and tyme appointit; and als to discharge Johnne Menteith of Kerse and Robert Bruce of Tullyallane, that thai, nor nane of thame, thair freindis assistaris or partakaris, presume to hald the said fair this yeir, or mak convocatioun to that effect in ony wyise, undir the pane of deid.

Artailliery.

Forsamekill as the King and Quenis Majesteis, considdering how honorabill and commodious it is to haif thair strenthis and fortressis garnyschit and weill furneist with artailyearie and necessar munitioun, quhilk servis to na use gif it be nocht montit and dewlie acowterit and put in gude ordour; this movit thair Majesteis to vesie and considder thair ordinance, of the quhilk ane large part wanting convenient furniteur, thair Hienessis for reparatioun of that elest, be avyise of thair Graces Counsall, commandit all thingis quhilkis wer fallin in decay to be amendit and bet; and for

the tyme, na tymmer meit for that purpois being within this realme, thair Majesteis wrait to diverse nobill men and utheris quhilkis had greit tymmer in thair woddis and orchardis, to answer thair servitour Johnne Cheisholme, comptrollar of thair artailyearie, of sic part of the samyn tymmer as he sould think ganand for the effect abonewrittin. According to the quhilk thair Majesteis plesour, this last wintir certane tymmer wes cuttit at Kincardin, Abirruthwen, Abirdagy, and Moncreiff, quhilk is alreddie transportit thairfra to the wattir of Tay be the gentilmen and inhabitantis of the cuntre, and fra thyne is cariit to the hevin and port of Leyth at the coistis and expenssis of burrowis of the burghs of Perth and Dunde; and now the samyn tymmer restis to be cariit fra Leyth to the Castle of Edinburgh, quhair it mon be laubourit and put in werk. For the quhilk purpois, thair Majesteis hes commandit thair said Comptrollar to mak the said tymmer be haistelie cariit, and that thair traist cousing and counsalour, James Erle Bothwell Lord Halis Creychtoun, Sheref Principal of Edinburgh, and his deputtis, devyde the cariage of the said tymmer amangis the inhabitantis of the sherefdomes of Edinburgh principal, within the constabularie of Hadington and Linlythquow, at thair discretioun. And albeit thair Hienessis doubtis nocht bot everie nobill man, gentilman, and yeman will voluntarie, and with glaid will, obey sa far as thai salbe demandit in this sa neidfull a caus; yit nevirtheles, to the effect that all men, as ressoun wald, beir equall burding, thairfoir ordanis lettres to be direct, chargeing all and sindry erlis, lordis, baronis, frehaldaris, landit men, gentilmen, tenentis, and occupiaris of landis quhatsumevir, within the saidis boundis, or ony part thairof,—quhais names, togidder with the quantite of oxin, tyme and place salbe appointit and gevin in bill, subscrivit be the said Comptrollar of artailyearie,—to convene and send thair saidis oxin, with sowmis, cheittis, and all uther necessaris, to the toun and schoir of Leyth at the dayis assignit, thair to ressave and carie the tymmer quhilk for thair part salbe deliverit to thame, frathyne to the Castell of Edinburgh, undir the pane for ilk ox that sall nocht be send at the tyme and place appointit of xx ß.; and gif thai failye thairin, that the officiaris incontinent thaireftir poind and distrenye the dissobeyaris for the said pane, and thairwith that the said Comptrollar hyre oxin or hors with all gudlie diligence, swa that alwayis the tymmer be cariit, and na delay usit thairin, as he will answer upoun his charge and perrell.

Apud Alloway, vigesimo octavo die mensis Julii, anno, etc. lxvi.

Proclamatioun to pas to Jedburgh.

Forsamekill as the King and Quenis Majesteis, considdering the universall disordour and unquietnes within thair realme, and crewell murthure becum as it wer commoun, nocht onelie amangis thame that hes querrell, bot kynnisfolk unnaturallie slayis utheris, without feir of God, reverence of thair Majesteis, and as thair wer na authoritie abone thair hedis; for punissing of the quhilkis attemptattis and reduceing of all thingis to ane gude and quiet estait, thair Hienessis intendis, God willing, in propir per-

sonis to pas throw the haill realme to puneis attemptattis, and to establische justice universallie. And first thair Majesteis intendis to begin at the Bordouris, quhilk being anis quietit and appeasit, the Incuntre may the mair easilie be reduceit to obedience; ordanis thairfoir lettres to be direct to officiaris of armes, to command and charge all and sindry Erllis Lordis Baronis Frehaldaris and landit men, within the boundis of the sherefdomes of Edinburgh principal, and within the constabularie of Hadingtoun Berwik, Selkirk, Peblis, Lanark, Striviling, Linlythquow, Clakmannane, Kinross, and Fyff; that thai, and ilkane of thame, weill bodin in weirlike maner, accumpaneit with thair substantious houshaldis and freindis, with xv dayis provisioun eftir thair cuming to Jedburgh, addres thame to convene and meit oure saidis Soveranis, at Peblis, the xiii day of August nix to cum, and swa to accumpany us thairfra quhill our returning to Edinburgh to the effect abonespecifiit, undir the pane of tinsall of lyff, landis, and gudis.

Apud Edinburgh, ultimo Julii, anno, etc. lxvi.

To provide ludgeing in Jedburgh.

The King and Quenis Majesteis being of mynd, God willing, to be present at the justice air proclamit in Jedburgh the xvii day of August nix to cum, ordanis lettres to be direct, chargeing the Provest, Baillies, and inhabitantis of the said burgh, to prepair meit drink and ludgeing for men and hors agane the said day, to be sauld upoun ressonabill and convenient prices, undir all hieast pane and offence that thai may incur and inrin aganis thair Majesteis in that part.

Apud Edinburgh, octavo die mensis Augusti, anno, etc. lxvi.

Continewation of the viage of Jedburgh.

The King and Quenis Majesteis, and Lordis of Secreit Counsall, having considderatioun of the present seasoun of the yeir and tyme of hervist approcheing, and for certane utheris ressonabill respectis and considderationis moving thame, hes thocht gude and convenient that the Justice Court appointit to haif bene haldin at Jedburgh, the xvii day of August instant, be continewit unto the nynetene day of October nix to cum, and than to proceid as Justice Air according to the forme and ordour thairof; and thairfoir ordanis lettres to be direct to officiaris of armes, to pas to the marcat croces of the burrowis of Edinburgh, Hadingtoun, Linlythquow, Jedburgh, Selkirk, Peblis, Striviling, Lanark, Fyff, Kinross, Clakmannane, and utheris places neidfull, and thair be oppin proclamatioun at the saidis marcat croces respective, mak publicatioun of the continewatioun abonespecifiit to all and sindry our Soveranis liegis as efferis, swa that nane pretend ignorance thairof, ordaning all and sindry personis quhilkis wer warnit of befoir, conforme to the formar proclamationis past thairupoun, to prepair thameselffis in reddines agane the said xix day of October nix to cum, as thai salbe warnit, conforme to the proclamationis to be direct thairupoun.

Apud Rodono, xvi Augusti, anno, etc. lxvi.

The King and Quenis Majesteis, undirstanding that diverse Actis of Parliament and proclamationis hes bene maid and set furth of befoir, inhibit- and that nane sould schute at deir with culveringis, half haggis, pistolettis, or bowis, quhilkis ar planelie dissobeyit,—and thairthrow the deir sa halelie distroyit that oure Soveranis can get na pastyme of hunting, now quhen thair Hienessis is purposlie reparit in this cuntre to that effect; for remeid of the quhilk in tyme cuming, oure Soveranis ordanis ane officiar of armes to pas, and in thair Hienessis name and autoritie command and charge all and sindry thair Majesteis liegis, that nane of thame tak upoun hand in tyme cuming, to schute at deir with culveringis, half haggis, or bowis; efter the forme and tennour of the Actis maid thairupoun of befoir, and undir the panis contenit in the samyn. That nane schute at deir.

Apud Edinburgh, xvii die mensis Septembris, anno Domini millesimo quingentesimo sexagesimo sexto.

Sederunt. Georgius Comes de Huntly. Archibaldus Comes Ergadie. Jacobus Comes Moravie. Jacobus Comes de Bothuile. Georgius Comes de Caithnes. Episcopus Candide Case. Episcopus Rossensis. Episcopus Orchadensis. Secretarius. Thesaurarius. Computorum Rotulator. Clericus Registri. Clericus Justiciarie.

Forsamekill as sone eftir the arryving of the Quenis Majestie furth of the partis of France in this realme, hir Hienes, foirseand the eminent troubill quhilkis apperandlie wes to ryise amangis the liegis for materis of religioun; to evaid the samyn and to stay all inconvenientis that mycht follow thairupoun, intercommonit with ane part of the Stait Ecclesiasticall, eftir quhais offeris maid, it wes concludit, decernit, and determit be hir Majestie, the Lordis of Secreit Counsall, and utheris of the nobilitie than present;—that gif the ferd part of the haill beneficis ecclesiasticall within this realme mycht be sufficient to sustene the ministeris throw the haill realme and support the Quenis Majestie to interteny and set furthwart the commoun effaris of the cuntre,—failyeing thairof, the thrid part of the saidis frutis or mair quhill it wer sufficient to the effect foirsaid, to be uptakin yeirlie thaireftir in tyme cuming, quhill ane generall ordour wer takin thairin; samekill thairof to be employit to the Quenis Majestie for interteneing and setting furthwart of the commoun effaris of the cuntre, and samekill thairof to the ministeris and sustentatioun of the Ministerie as may ressonabillie sustene the samyn; at the sycht and discretioun of the Quenis Majestie and Counsall foirsaid,—and the excrescence and superplus to be assignit to the auld possessouris, lyke as at mair lenth is contenit in ane Act of the Secreit Counsall maid thairupoun, of the dait the xi day of December the yeir of God j^{m}v^{c}lxi yeris. And albeit the plane wordis of the Act manifestis quhat wes the intentioun of hir Hienes and hir Counsall Discharge of Thriddis and Pensionis.

at the devysing and making thairof, quhilk tendit to na uther fyne, bot that hir Majesteis effaris mycht be set furthwart, and the charge thairof furneist and the Ministerie alswa sustenit. Yit diverse personis, mair regardand thair awin particular proffeit nor the honorabill estait of hir Majestie and commoun weill of this realme, sa inoportunelie preissit hir Majestie fra tyme to tyme, that hir Hienes hes bene movit to discharge the thridis of sum beneficis to the possessouris thame selffis, to mak giftis dispositionis and assedationis of the thridis, commoun kirkis, freris landis, and rentis thairof; or to gif pensionis or portionis furth of the same; or to assigne the thridis as it wer in payment of dettis of yeirlie feis; or to set the landis and teyndis assumit in payment of the thrid of ony benefices for les avale nor wes contenit in the rentallis at the first ingeving thairof; and finalie be thir and a greit nowmer of sic uther schiftis and inventionis is hir Majesteis liberalitie sa planelie abusit be unsaciabill and gredie askeris, cheiflie be occasioun of the troublis occurring the last yeir,—that now of the saidis thridis of benefices, commoun kirkis, freris landis, and rentis, lytill or na thing is left undisponit, owther to the sustentatioun of hir Hienes hous and uther neidfull effaris, nor yit to the sustentatioun of the ministeris, quhairthrow greit confusioun is enterit and greit inconvenient lyke to follow, gif tymeous remeid be nocht provydit. Quhilk being diligentlie and with gude deliberatioun avysit upoun, it is fund be the Quenis Majestie and hir Counsall, that the saidis thridis of benefices, commoun kirkis, freris landis, and rentis, being gevin, assumit, and takin in hir Majesteis handis for support of hir Hienes effaris, and sustentatioun of the ministerie, quhill a mair substantious ordour sould be devysit, mycht be disponit, gevin, or applyit na utherwayis bot to the same use and effect that thai wer dedicat unto at the begynning. And thairfoir, lyke as all giftis or dischargeis of thridis, commoun kirkis, and freris landis, or pensionis furth of the samyn, or takkis set of the landis, teindis, and possessionis thairof, maid be the Quenis Majestie upoun wrang report and inoportune sute without cognitioun quhat hir Hienes mycht do thairin, and in diminutioun of the trew rentall, ar in thame selffis fra the begynning vane, null, and of nane effect; sa hir Majestie, be avyise of hir honorabill Counsall, consentand heirto, rescindis, revokis, cassis, annullis, and dischargeis now, and in all tyme cuming, all the saidis giftis dispositionis and dischargeis, of thridis, and commoun kirkis, freris landis, and rentis, all pensionis gevin furth of the same, and takkis set of the landis, teindis, and possessionis, assumit in payment of the saidis thridis, togidder with all uther dispositionis, assignationis, or pretendit tytillis quhatsumevir, howsoevir thai be nominat, quhairby the first ordoure of uptaking of the saidis thridis, commoun kirkis, and freris landis, hes bene alterit, and the yeirlie dewitie ony wayis diminschit; and declaris and decernis the samyn to haif bene fra the begynning, and to be in all tyme cuming, null, invalide, and of nane avale, force, nor effect; and thairfoir ordanis the Comptrollar, be him self, his chalmerlanis and collectouris, to ask, crave, ressave, intromet, and uptak the thridis of all and sindry benefices, pensionis, portionis, haill

commoun kirkis, freris landis, and rentis, within this realme, of the crope $j^{m}v^{c}$ thre scoir sex yeris instant, and in tyme cuming, without respect of ony gift, dispositioun, or discharge thairof, or ony pensioun gevin furth of the same, or of any tak set of the landis, teindis, and possessionis, assumit and uptakin for payment of thridis or of the saidis commoun kirkis, freris landis, and rentis quhair the first rentall is diminissit without exceptioun of personis. And to that effect that lettres be direct owir all this realme for publicatioun of this present Act and ordinance, with inhibitioun and uther neidfull chargeis to pas be deliverance of the Lordis of Sessioun in maist suir and ampill forme as efferis. Attour, thair Majesteis ordanis and requiris the Lordis of Counsall and Sessioun on na wayis to grant ony suspensioun or relaxatioun fra the horne to ony persoun or personis, nocht-withstanding ony discharge, gift, or dispositioun purchest or to be purchest of ony thrid, commoun kirk, freris landis, or rentis thairof of the crope $j^{m}v^{c}$lxvi yeris instant, or in tyme cuming, bot hald repute and esteme the samyn as null in the self, and of na grittar valu nor gif the Quenis Majestie maid dispositioun of that thing quhilk pertenit na thing to hir Hienes; and that thai na wayis credeit, allow, or admit sic lettres as salbe subscrivit be hir Majestie, concerning the thridis of benefices, pensionis, commoun kirkis, or freris landis heireftir without hir Hienes ordinar signet be affixt thairto; and hir Majestie expreslie commandis the Secretare and his deputtis, keparis of the signet, that thai on na wayis affix the said signet to ony lettre, concerning the dispositioun or discharge of the saidis thridis of benefices or commoun kirkis, nochtwithstanding ony command gevin or to be gevin in the contrair, as thai will answer to hir Majestie at thair awin perrell; provyding alwayis, that the Senatouris of the College of Justice of the spirituall estait quhilkis ar undir prelaciis, and the universiteis institute for upbringing of the youth, allanerlie be exemit fra this present Act, and the samyn on na wayis to extend aganis thame.

Apud Edinburgh, xxi Septembris, anno, etc. lxvi.

Sederunt. Domini ut in die predicto.

Sinclair and Ormistoun.

Anent the complaint maid be the puyr tenentis of the toun and landis of Pencaitland, makand mentioun that quhair it is nocht unknawin to oure Soveranis and Lordis of thair Secreit Counsall, how that be instabilitie of the wethir, at the plesour of God, alsweill thair cornis, as utheris of the haill cuntre, could nocht hitherto be won; and now quhen tyme is gevin be God to win the samyn, thair is ane uther stop maid to the saidis complenaris thairin, be Williame Sinclair of Hirdmestoun and James Ormistoun of that Ilk, quhilkis pretendand rycht to the saidis complenaris teyndis, makis sic cummer and diversitie that thai can haif na teynding. And becaus of sum troubill appearing betuix the saidis partiis for the leding of the saidis teyndis this yeir, oure Soveranis charge wes direct, commanding thame to depart of the ground of the saidis landis quietlie, and na wayis to proceid to the leding of the teyndis thairof, or to mak convocatioun to that effect,

or to invaid or persew uthéris in word, deid, or countenance quhill the tryall of the actioun and contraversie betuix thame undir the pane of deid; chargeing alswa bayth the saidis partiis, to compeir to heir and se the said tryall and cognitioun takin. At command of the quhilk bayth the partiis comperand personalie, the said James Ormistoun of that Ilk producit ane precept direct fra Cuthbert Cranstoun of Thirlestane Manis and Sir Johnne Castellaw to the saidis complenaris, willing and commanding thame to answer and obey of thair teynd schaves to the said James Ormistoun; and on the uther part the said Williame Sinclair of Hirdmestoun allegeit him to haif ane promeis of ane tak of the saidis landis. The Lordis of Secreit Counsall, undirstanding the tytill of the saidis landis to be questionabill betuix the saidis partiis, and to require the decisioun of the law, and yit seing it thair office and dewitie to foirse the occasioun of troubill, and to provyde that the cornis on the ground now in point of tinsall sall nocht pereis, thairfoir ordanit bayth the saidis partiis personalie present, that thai be thame selffis and all that thai may let, desist and ceise fra all leding of the teynd schaves of the toun and landis of Pencatland this yeir, or to mak convocatioun or gaddering to that effect, undir all hieast pane and offence that thai and ilkane of thame may commit and inrin aganis oure Soveranis in that part; and als ordanis lettres to be direct, chargeing Petir Thomsoun, Ilay Herauld; Martine Uddart, Ormont Pursevant; Williame Hardy, Unicorne Pursevant; Archibald Heriot, Williame Lawsoun, and Williame Logane, messingeris; or ony ane of thame, to pas and teynd the cornis of the saidis toun and landis of Pencaitland, and to leid and stak the samyn in ony yaird within the toun foirsaid upoun the expenssis thairof; and the samyn being stakkit, to fense and arreist the samyn, to remane undir arreistment ay and quhill it be decydit be ordour of law and justice to quhome the samyn justlie appertenis.

Apud Edinburgh, xxiiii die mensis Septembris, anno, etc. lxvi.

Sederunt. Domini ut in die predicto.

Proclamatioun to mete at Melrose.

Forsamekill as oure Soveranis considdering the monyfauld crymes committit be the subjectis within the boundis of the Middill Marchis of this realme upoun the trew and obedient subjectis of this incuntre; as alswa the greit disordour and unquietnes standing amangis the bordour men thameselffis, tuke purpois to pas in Teviotdaill for the fortificatioun of justice in the begynning of the moneth of August last bipast; bot be ressoun of the hervist than approcheing the jurnay wes delayit quhill now; and sen it is thair Hienessis first passing in that cuntre, it is expedient that thai be honorabillie accumpaneit; and thairfoir ordanis lettres to be direct, chargeing all and sindry Erlis, Lordis, Baronis, frehaldaris, landit men, gentilmen, and substantious yemen—men within the boundis of the sherefdomes, of Edinburgh principall and within the constabularie of Hadingtoun, Berwik, Selkirk, Peblis, Lanark, Linlythquow, Striviling, Clakmannane, Kinross, and Fyff; be oppin proclamatioun, at the marcat

croces of the heid burrowis of the saidis sherefdomes, that thai and ilkane of thame, with thair kin, freindis, and substantious houshaldis weill bodin in weirlyke maner, with xx dayis provisioun eftir thair cuming to Jedburgh, addres thame to meit thair Majesteis at Melrose upoun the aucht day of October nixt, and swa to await on thair Majesteis during the said space, undir the pane of tinsall of lyff landis and gudis.

Discharge of Sercheoureis.

Forsamekill, as be the monyfauld complaintis presentit to oure Soveranis, alsweill be diverse thair awin subjectis, as be strangearis, freindis and confedderattis of this realme, complenyng on the manifest piracie and depredatioun committit be certane Scottismen in the pilleing and spoliatioun of thair schippis and gudis, and demaning of thair personis as innemeis; thair Majesteis hes undirstandit and weill consideritt quhat sclanderous brute and rumour is spred, bayth within thair realme and in foreyn cuntreis, as that thir enormiteis wer committit be thair Hienessis permissioun and oursycht; quhilk, althoch it be vane and without ground, yit thair Majesteis, seing the brute procedit nocht without sum occasioun, may nocht neglect now at last to provyde remedy thairfoir, sen the attemptaris of thir enormiteis hes done violenc and injurie alsweill to the subjectis of this realme as to utheris nationis, thair Hienessis freindis and confedderattis, undir the pretense and cullour of certane allegeit lettres of sercheorie and utheris favourabill writtingis grantit be thair Majesteis on apparent gude consideratioun at the geving thairof, and now altogidder abusit. Quhairfoir thair Hienessis, with avyise of thair Secreit Counsall, hes dischargeit, and be thir presentis dischargeis and suspendis simpliciter, all generall lettres of sercheorie owir all the haill realme, and in particular within the boundis of Orknay, Zeitland, and Caithnes; or utheris lettres of exemptioun, favour, or privilege concerning the said office of sercheorie or depending thairon, grantit be thair Majesteis in ony tyme bigane to Williame Blacater, George Fogo, Johnne Ur, or ony utheris by the ordinar and accustumat maner. And that lettres be direct for publicatioun heirof at the marcat croce of Edinburgh, schoir and peir of Leyth, and all utheris marcat croces and publict places neidfull within the cuntreis of Orknay, Zeitland, and Caithnes; commanding and chargeing all the liegis and subdittis, that nane of thame answer, intend, nor obey to the saidis personis, or ony utheris pretendit sercheouris newlie and extraordinarlie constitute; and als dischargeing the particular personis abone specifiit, and all utheris pretendand to be sercheouris be vertew of ony power or privilege grantit to thame, that nane of thame presume nor tak upoun hand to use and exerce the said office of sercheorie upoun the subjectis of this realme or strangearis, nor yit to invaid, inquiet, nor molest the subjectis of ony Cristiane Prince or commoun weill, freindis and confidderatis to this realme, undir the cullour and pretense of the lettres of marque, or sey brevis of the Kingis of Denmark, Swaden, or ony uther foreign Prince, undir the pane to be repute and haldin as pyrattis and commoun innemeis

to this cuntre, and to be puneist thairfoir with all extremitie, conforme to the lawis of this realme.

Touart Loch Brune.

Forsamekill as it hes plesit God to oppin ane greit commoditie to the commoun weill of this realme throw the fischeing of Lochbrume and utheris lochis of the north seyis, and eftir that diverse strangearis had maist ernistlie requirit licence of oure Soveranis to fische in the saidis lochis; thair Majesteis, thinking the mater partlie to concerne the estait of marchandis, callit in presens of thair Secreit Counsall certane personis of thair burghis and sey townis qualifiit and experimentit in fischeing, and inquirit of thame the apparent commoditeis liklie to follow of the said fischeing to the commoun weill of this cuntre, and quhat skayth and dampnage mycht happin gif the samyn wer usit be strangearis, or thai permittit to haif the trade thairof; eftir quhais opinionis and jugementis hard and consideritt, thair Majesteis, with avyise of thair said Secreit Counsall, statutis and ordanis that na strangearis, of quhatsumevir natioun thai be of, cum in the saidis lochis, nor use the commoditie of the said fischeing in ony tyme to cum, bot the samyn to be onelie usit be the borne subjectis and inhabitantis of this realme, undir the pane of confiscatioun of the schippis and gudis of all strangearis that salbe fund at the saidis fischeis, and punissing of thair personis at oure Soveranis will; nochtwithstanding gif ony Scottismen hes alreddy frauchtit strangearis schippis to the said fischeing, upoun thair supplicatioun oure Soveranis will grant thame licence for this yeir, thay bringand a certificat fra the Provest and Baillies of the toun quhair thai dwell, that the Scottismen frauchtaris of the said strangearis schippis ar of sufficient power and abilitie to furneis the ladynning thairto of thair awin propir gudis; and this exceptioun for this instant yeir allanerlie to induir.

Bischop of Dunkeld.

The quhilk day, anent the complaint presentit to the Quenis Majestie and Lordis of Secreit Counsall, be ane reverend fadir in God, Robert Bischope of Dunkeld, makand mentioun that quhair, amangis the remanent prelattis of this realme, he gaif up in rentall the kirk of Airlady to twenty twa chalder or thairby, as for the teindis of the said kirk and parroche—by the manis quhilk wes gevin up with the teindis thairof to sex scoir markis, and hes payit conforme to the said rentall the thrid thairof; albeit he gat nowther twa part nor thrid of the samyn, bot be way of deid debarrit thairfra notourlie knawin, and that for all yeris bigane in the yeris of God $j^{m}v^{c}lxi$, lxii, lxiii, and lxiiii yeris, as the collectouris acquittance of thair ressait beris, according to the quhilk thai haif maid thair compt in the chekker; nochttheles, as he is informit, the saidis Lordis ar myndit to caus the collectouris change thair charge of the said kirk and manis, and to charge thame selffis with ane les quantitie, to wit, the teynd of the said kirk, by the manis, to twa hundrith merkis quhilk wes rentallit to xxii chalder victuall or thairby; and that be ressoun of ane new pretendit rentall nocht gevin up be the said reverend fadir nor nane havand his

power; quhilk rentall is allutirlie to the hurt and prejudice of him, to change and altir xxii chalderis victuale to ii^{c} markis; nor yit can the samyn be changit and alterit by the first rentall without his avyise, specialie fra the mair and bettir to the les and mair as said is. Attour, it is oure Soveranis will be thair write, that the said first rentall haif place, as maist commodious to thame and the said reverend Fadir; and anent the charge gevin to Sir Williame Murray of Tulybardin Knycht present Comptrollar, Sir Johnne Wischert of Pettarro Knycht Comptrollar for the tyme, to compeir befoir our Soveranis and Lordis of thair Secreit Counsall, to answer to this complaint; the said reverend Fadir, and als the saidis Sir Williame Murray and Sir Johnne Wischert comperand all personalie, the mater being with gude deliberatioun ressonit; the Quenis Majestie, with avyise of hir Secreit Counsall, ordanis the rentall abone writtin gevin in be the said reverend Fadir, contening xxii chalderis victuale or thairby, and four scoir pundis money, for the said manis of Abirlady, to stand in full effect, and that the comptrollar charge him with the thrid of the said bischoprik in his comptis present and to cum, as alswa tak the assumptioun thairfoir, conforme to the said rentall, and na uther rentall nor assumptioun to haif place or be admittit, without prejudice alwayis of the superplus and omittit gif ony be.

Erll of Atholl. Acheson and Aslowane.

At Edinburgh, the xxiii day of Februare, the yeir of God j^{m}v^{c}lxv yeris, anent the actioun and caus intentit and persewit befoir the Lordis of Secreit Counsall be Johnne Achisoun in the Cannogait, and Johnne Aslowane, burges of Edinburgh, aganis Johnne Johnnestoun of the Cotis, and Robert Ker, burgessis of the said burgh, for the allegeit wrangus ejectioun and outputting of the saidis Johnne Achesoun and Johnne Aslowane, thair factouris and servitouris, furth of the mynis and leidhoillis of Glengonar and Winlok occupiit be thame, and spoliatioun of thame of thair possessioun thairof; thai be thame selffis, thair factouris and servitouris in thair names, being in possessioun of the samyn, wirking and laubouring thairof be vertew of the licencis and in maner specifiit and contenit in the supplicatioun gevin in thairupoun, as the samyn at lenth proportis. The saidis Johnne Achesoun and Johnne Aslowane being personalie present, and the saidis Johnne Johnnestoun, Robert Ker, and als Maistir Johnne Spens of Condy, Advocat to our Soveranis for thair Majesteis interes being alswa personalie present; the said mater being at lenth ressonit, and the rychttis, ressonis, and allegationis of bayth the saidis partiis and of the said Advocat, hard, sene, consideritt, and undirstand to the saidis Lordis; and thai thairwith ryplie avysit, findis and declaris that the saidis Johnne Johnnestoun and Robert Ker, as assignayis and factouris to ane nobill and potent Lord, Johnne Erle of Athole, lord of Balvany, in and to the tak and licence grantit to him, his factouris and assignayis, upoun the quantitie of leid ure of the mynis abone specifiit, mentionat in the same tak and licence, enterit the tyme mentionat in the said supplicatioun be thame and thair servandis in thair names, to the foirsaidis mynis and leidholis of Glengonar and Winlok,

ordourlie, be vertew of the said tak and licence grantit be our Soveranis thairupoun; and als be thair Majesteis lettres under thair subscriptioun and signet, tuke possessioun thairof, eftir that the saidis Johnne Achesoun and Johnne Aslowane, and all utheris occupiaris and intromettouris thairwith wer lauchfullie inhibit and dischargit of all forder wirking and laubouring thairof, bot to suffir the said Erle, his factouris and assignayis entir thairto, conforme to the said tak and licence; and that dew intimatioun wes maid thairof, as the saidis lettres, executionis, and indorsationis of the samyn, schawin and producit befoir the saidis Lordis, proportis; and swa that the saidis Johnne Erle of Athole, his assignayis and factouris foirsaidis, hes done na wrang in entering to the foirsaidis mynis, possessioun and laubouring thairof, in maner abonewrittin, and allegeit ejectioun of the saidis Johnne Achesoun and Johnne Aslowane, thair factouris and servandis thairfra, the tyme mentionat in the said supplicatioun, as wes cleirlie undirstand to the saidis Lordis; and assoilyeis the said Erle, Johnne Johnnestoun and Robert Ker, his assignayis foirsaidis, fra the clame and petitioun of the saidis persewaris movit thairanent.

Apud Edinburgh, xiii die mensis Septembris, anno Domini millesimo quingentesimo lxvi°.

Sederunt. Georgius Comes de Huntly. Archibaldus Ergadie Comes. Jacobus Moravie Comes. Episcopus Rossensis. Episcopus Candide Case. Thesaurarius. Computorum Rotulator. Clericus Registri.

Tenentis of Kelso.

The quhilk day in presens of the Lordis of Secreit Counsall, comperit personalie James Ker of Corbet, Robert Mow bruther to Johnne Mow of that Ilk, Andro alias Dand Ker in Auld Roxburch, and Thomas Makdowell of Mekcarstoun, at command of our Soveranis lettres execute upoun thame, and thair the saidis personis producit the evidentis and writtingis respective eftir following. That is to say, the said James Ker of Corbet ane charter maid be the Commendatare and Convent of Kelso to him, his airis and assignayis, of all and sindry the landis of Redden under writtin, liand in the toun and territorie of Redden, within the sherefdome of Roxburgh; viz., ane half mark land occupiit be Thomas Pott; ane mark land occupiit be Johnne Gibsoun; twa markland occupiit be Johnne Kennedie; xx s. land occupiit be David Hirdmestoun; twa markland occupiit be Williame Glasinwrycht; xx s. land occupiit be Thomas Kennedie; and xx s. land occupiit be Thomas Bukum; extending in the haill to ten mark land, of the dait the xxii day of Marche the yeir of God j^{m}v^{c}lxv yeris. And siclike the said Robert Mow producit ane charter maid be the said Commendatare and Convent to him and his airis maill, lauchfullie gottin or to be gottin of his body, quhilkis failyeing to his airis maill quhatsumevir; of all and haill thai four mark land quhilk the said Robert Mow occupiis, liand in the toun of Kelso, betuix the tenement of George Johnnestoun on the eist, the tenement of Richert Palmer on the west, the marcat gait to

the wynd on the south, and the said Abbot and Conventis land on the north partis, with all uther arabill landis, toftis, croftis and thair pertinentis as the said Robert instantlie occupiis, liand in the toun and territorie of Kelso within the sherefdome of Roxburgh, of the dait tent day of Apprile the yeir of God j^{m}v^{c} thre scoir sex yeris. And the said Andro alias Dand Ker in Ald Roxburgh producit ane tak and assedatioun maid be the saidis Commendatare and Convent to him of the teind schaves of the toun, manis and landis of Halden, for the space of nynetene yeris following the feist of Lambmes eftir the dait thairof, of the dait the xvii day of the said moneth of Apprile the yeir of God j^{m}v^{c}lxvi yeris foirsaid; quhilkis James Ker, Robert Mow and Andro alias Dand Ker, and als the said Thomas Makdowell of Maccarstoun being inquirit and examinat—at quhat tyme the saidis charteris of fewferme and assedatioun of the teind schaves abonewrittin wer subscrivit be the Convent of the said Abbay, and selit with the commoun seill thairof,—declarit and confessit that the saidis charteris and assedationis wer nocht subscrivit be the said Convent, nor yit the commoun seill of the said Abbay appendit thairto quhill ten dayis or thairby eftir the deceise of umquhile Williame last Commendatare of Kelso; upoun the quhilk confessioun and declaratioun Maistir Johnne Spens of Condy, Advocat to oure Soveranis, askit actis and instrumentis. Attour, the saidis personis expreslie denyit that thai compellit or boistit the said Convent to subscrive the saidis charteris and assedatioun, and thairupoun askit actis and instrumentis.

Apud Edinburgh, vi Octobris, anno, etc. lxvi.

Sederunt. Georgius Comes de Huntly. Archibaldus Ergadie Comes. Jacobus Moravie Comes. Jacobus Comes de Bothuile. Joannes Comes de Atholl. Georgius Comes de Caithnes. Andreas Comes de Rothes. Joannes Archiepiscopus Sanctiandree. Alexander Episcopus Candide Case. Joannes Episcopus Rossensis. Adame Episcopus Orchadensis. Robertus Episcopus Dunkeldensis. Thesaurarius. Computorum Rotulator. Clericus Registri. Clericus Justiciarie. Advocatus. Commissarii burgorum Edinburgh, Dunde, Abirdene, Striviling, Perth, Sanctandrois, Linlythquow, Hadingtoun.

Taxatioun grantit of xii^{m} li.

Forsamekill as sum of the grittest Princes in Cristindome hes ernistlie requirit of oure Soveranis that be thair ambassatouris thai may be witnessis and gosseppis at the baptisme of thair Majesteis derrest sone the native Prince of this realme, quhais requisitioun being bayth ressonabill, and honorabill thair Majesteis hes glaidlie condiscendit thairunto, and dalie lukis for the arryving of the saidis ambassatouris; for the quhilk purpois honorabill expenssis wilbe requisite, quhilk movit thair Majesteis to expone the mater, to a gude nowmer of the Prelattis, Nobilitie and Commissionaris of Burrois convenit this day to that effect; and thai undirstanding the occasioun to be sa necessarie tending to the honour and estima-

tioun of our Soveranis thair realme and commoun weill thairof, hes all, with ane consent and avyise, liberallie and voluntarie grantit to thair Majesteis for suppleing and releif of the saidis expenssis, ane taxatioun of twelf thowsand pundis to be payit be the saidis estaittis at the last day of November nix to cum in maner following: That is to say, sex thowsand pundis be the Spirituall Estait, four thowsand pundis be the Baronis and Frehaldaris, and twa thowsand pundis be the Burrowis in compleit payment of the said soum of xii^{m} lĩ. And for inbringing of the sprituall mennis part of the said taxatioun, that lettres be direct, chargeing all and sindry Bischopis, Abbottis and utheris beneficit personis contenit in the taxt rollis, and thair factouris and chalmerlanis,—personalie or at thair dwelling places, and failyeing thairof be oppin proclamatioun at the principall parroche kirk of the benefice upoun ane Sonday befoir none in tyme of devyne service and at the marcat croce of the heid burgh of the schyre,—to mak payment of the soum that thai ar stentit unto to the collectour of that Sherefdome quhairin thair benefice lyis, upoun the said last day of November undir the pane of rebellioun and putting of thame to the horne; and gif thai failye, the said day being bipast, to denunce thame rebellis and put thame to the horne, and escheit and inbring all thair movabill gudis to oure Soveranis use for thair contemptioun. Provyding alwayis that thair be ten dayis at the leist betuix the day of the chargeing and the day of the executioun of the horning, and that lettres be direct alswa chargeing the saidis collectouris, to inbring and mak payment of the sowmis contenit in the taxt rollis particularlie deliverit to thame—or at the leist lettres dewlie execute and indorsat upoun the personis astrictit—to pay the samyn to Sir Symon Prestoun of Craigmillar, knycht, Provest of Edinburgh, collectour generall, appointit for the ressait of the said haill soum, betuix the said last day of November and the xxv day of December thaireftir following, under the pane of rebellioun and putting of thame to the horne; and gif thai failye thairin, the said xxv day being bipast, to denunce the saidis collectouris rebellis and put thame to the horne; provyding alwayis that the horning now to be execute at this tyme for this occasioun upoun kirkmen and thair factouris, sall nocht in tyme cuming prejuge thame and thair successouris, anent the privilege grantit to thame be the Act of Parliament maid in the tyme of the Quene Regentis government, towart the horning of kirkmen for taxt. And for the Baronis and Frehaldaris part, that thair be upliftit of everie pund land of auld extent within this realme iiii s.—oure Soveranis propirtie and kirkland pertening to the kirk being exceptit—for payment quhairof that lettres be direct, chargeing all Sheriffis, Stewartis, and Baillies, that thai and ilkane of thame within the boundis of thair offices raise and uplift the said soum of iiii s. of everie pund land of auld extent abone exceptit, and inbring and deliver the samyn to the said collectour generall betuix and the said xxv day of December nix to cum, under the pane of rebellioun; and failyeing thairof, to put the saidis Sheriffis, Stewartis, and Baillies to the horne; and for thair relief, that lettres be direct, chargeing all and sindry Erllis, Lordis, Baronis, and Freholderis, to mak payment and

deliverie to the saidis Shereffis, Stewartis, and Baillies, and ilkane within thair awin boundis, of the said soum of iiii ß. of everie pund land betuix and the said last day of November, under the pane of rebellioun and putting of thame to the horne; and gif thai failye, the said day being bipast, to put thame thairto, swa that thair be alwayis ten dayis betuix the day of the chargeing and the day of executioun of the horning; or ellis that the Shereffis poind and distrenye thairfoir as thai think maist convenient, and that the Erllis, Lordis, Baronis, and Frehalderis, haif siclike lettres for thair releif aganis ladiis of terce, lyferentaris, conjunct fearis and subwassellis. And for inbringing of the burrowis part, that lettres be direct, chargeing the Provestis and Baillies of ilk Burgh, to mak payment of the taxt and stent thairof to the said collectour at the said last day of November, under the pane of rebellioun and putting of thame to the horne; and gif thai failye thairin, the said day being bipast, to denunce thame thairto; and for thair releif, that lettres be direct, chargeing the inhabitantis of ilk burgh to convene, and elect certane personis to stent thair nychtbouris, and to charge the saidis personis electit to accept the charge upoun thame, in setting the said stent upoun the nychtbouris of ilk burgh, and to convene and set the samyn, and mak ane stent roll thairupoun as efferis, within xxiiii houris nixt eftir thai be chargeit thairto, under the pane of rebellioun and putting of thame to the horne; and gif thai failye thairin, the saidis xxiiii houris being bipast, to denunce thame rebellis and put thame to the horne; and siclike the said stent being maid and set, to charge the burgessis, nychtbouris, and inhabitantis of ilk burgh, to mak payment of thair partis of the said stent, conforme to the taxt roll to be maid and gevin out thairupoun within sex dayis nixt eftir thai be chargeit thairto, under the said pane of rebellioun, and gif thai failye thairin, to denunce thame rebellis and put thame to the horne.

Apud Edinburgh, tertio die mensis Octobris, anno Domini millessimo quingentesimo lxvi°.

Sederunt. Domini ut in die predicto.

Small benefices for the ministeris.

The quhilk day, forsamekill as the King and Quenis Majesteis hes undirstand and considderit that the ministeris stipendis quhilkis necessarlie mon be payit furth of the thridis of the benefices, extendis to sic a sowme that the saidis thridis is nocht abill, bayth to sustene the chargeis of thair Majesteis hous—attour the rent of thair propirtie, as alswa to sustene the saidis ministeris; and eftir gude deliberatioun takin how thai may be sustenit with leist chargeis and expenssis, thair Hienessis hes fund it maist convenient, and als with avyise of the Lordis of thair Secreit Counsall statutis and ordanis; that in tymes cuming all small benefices, parsonages, vicarages, and utheris, extending in yeirlie rentall to the soum of thre hundrith markis, or within, as thai sal happin to vaik, sall alwayis be disponit to sic parsonages as the superintendentis and assemblie of the kirk, eftir dew examinatioun, sall find abill, qualifiit, and sufficient, and thair-

eftir nominat and present to thair Majesteis; quhilkis being sa nominat and presentit, thair Hienessis sall admit thame, and be thair autoritie caus thame be answerit of the frutis and dewiteis of the saidis benefices. Attour, quhensoevir ony Bischoprik, Abbacie, Pryorie, or uther Prelacie that hes the patronage of sic small benefices sal happin to vaik and fall to thair Majesteis dispositioun and presentatioun, as lykewyise of all thame that ar presentlie vacand, thair Hienessis promittis in verbo principum, that thai sall alwayis retene in thair awin handis the power and titill of the dispositioun of the saidis small benefices, to the effect abonewrittin; and sall caus the personis to quhome thair Majesteis disponis the saidis prelaciis and greit benefices consent thairto, befoir thair Majesteis mak ony rycht of the principall to thame. And in caise it sal happin thair Majesteis ignorantlie or utherwayis to gif or dispone ony of the saidis small benefices be gift, presentatioun, or utherwayis, contrair this present act and ordinance, and ony wayis prejudiciall to the samyn; their Majesteis expressitlie commandis thair Comptrollar present and to cum, his clerkis and collectouris, the keparis of the signet, previe seill and greit seill, and all utheris thair Hienessis officiaris, liegis, and subdittis, that thai on na wayis admit, allow, obtempir, or obey ony sic gift or presentatioun, or to pas the samyn throw the seillis, or grant lettres in the four formes thairupoun, bot to hald, repute, and esteme thame as previe writtingis purchest in defraud and prejudice of this present lovabill act and publict ordinance, nochtwithstanding ony charge or command gevin or to be gevin in the contrair, quhairunto thir presentis sall serve thame for a sufficient warrand. And siclike thair Majesteis ordanis and requiris the Lordis of Counsall and Sessioun, on na wayis to admit, allow, or attend to ony gift, provisioun, or presentatioun of quhatsumevir small benefice of the valu abonewrittin disponit be thair Majesteis, or utherwayis quhair the samyn is repugnant or contrarious to this present act and ordinance, and nocht disponit to qualifiit personis apt for the ministerie, examinat and admittit be the superintendentis and kirk in maner foirsaid; and that lettres be direct for publicatioun heirof in dew forme as efferis.

Apud Jedburgh, decimo Octobris, anno, etc. lxvi°.

Sederunt. Jacobus Comes de Murray. Andreas Comes de Rothes. Georgius Comes de Caithnes. Alexander Episcopus Candide Case. Joannes Episcopus Rossensis. Adam Episcopus Orchadensis. Secretarius. Thesaurarius. Clericus Registri. Clericus Justiciarie.

Price of viveris at Jedburgh.

Forsamekill as eftir the Quenis Majesteis cuming to the burgh of Jedburgh, complaint wes maid to hir Hienes of the greit exhorbitant derth rasit and extorsioun usit upoun the subjectis reparing thairto in hir Hienes cumpany, throw rasing of the prices of all kynd of viveries, quhairupoun hir Majestie wes movit to call befoir hir and Lordis of hir Secreit Counsall the Provest and baillies of the said burgh, and to inquire of thame how all

thingis wer commounlie sauld within the samyn befoir hir Majesteis arryving thairto ; quhilkis being considderit and conferrit with the prices presentlie standing, hir Majestie and Counsall foirsaid, eftir gude avysement and deliberatioun, statutis and ordanis that during the tyme of the remaning of hir Hienes and hir cumpany within hir said burgh, the pynt of gude aill to be na derare sauld nor v đ., sextene unce of fyne breid for iiii đ., ane mannis ordinar at the melteth, being servit with bruise beif muttoun and rost at the leist, xvi đ., everie hors in stabilse in the xxiiii houris ii đ., provyding that he quha takkis ane stabill pay for samony hors as it may easelie contene, ane furneist bed on the nycht xii đ. ; and that the saidis Provest and Baillies se this present statute and ordinance inviolabillie and universallie observit within the said burgh, as thai will answer upoun thair uttirmest charge and perrell ; certifeing thame gif the samyn beis ony wayis contravenit, the saidis Provest and Baillies, as alswa the contravenaris thame selffis, salbe repute and haldin commoun oppressouris, thair contraventioun salbe a poynt of dittay, and thai salbe accusit thairfoir in this present justice air, and puneist with all regour in exempill of utheris, nochtwithstanding ony setting, promeis, taking, pactioun, or conditioun quhatsumevir maid or to be maid repugnant or contrarious heirunto ; anent the quhilkis hir Hienes dispensis and decernis the same null and of nane avale.

Apud Jedburgh, undecimo die mensis Octobris, anno Domini j^{m}v^{c}lxvi.

Command to persew justice at Jedburgh.

Forsamekill as mony complaintis being maid to the Quenis Majestie of the infinite crymes of slauchtir, stowth reif, thift, resset of thift, convocatioun, and oppin oppressioun, committit be the subjectis within the Middill Marche of this realme thir diverse yeris bigane, hir Hienes hes bene movit in propir persoun to cum to this cuntre, to se trespassouris puneist and justice ministrat to the pouer oppressit subjectis ; and althoch the occassioun of hir Hienes cuming hither tendit onelie to this fyne, and that hir Hienes hir Counsall and officiaris hes na uther thing to await on ; nevirtheles, thair is na complaintis, dittayis, or occasionis presentit nowther to hir Majestie, hir Counsall, nor Justice Clerk, and his deputtis, swa that it apperis the uther complaintis maid afoir in generall to be bot vane and without ground, or than that the personis oppressit, injuryit, and suffering the dampnage, ar disparit to obtene justice and remedy ; quhairfoir hir Majestie ordanis ane maser or uther officiar of armes, to pas and in hir Hienes name and autorite command and charge all and sindry hir Majesteis liegis and subdittis that hes complaint or dittay to present and gif up, or utherwayis occasioun to seik justice, that without delay thai pas to the Justice Clerk and his deputtis, and gif in the saidis complaintis and dittayis, or utherwayis present the samyn be supplicatioun to hir Majestie and hir Counsall, swa that justice may be execute upoun the same, conforme to the lawis of this realme, quhilk hir Hienes now offeris and promeissis to caus be ministrat dewlie and uprychtlie, intimand be thir

presentis to all that concelis thair wrang, injurie, and oppin oppressioun sustenit, that heireftir nowther grudge, murmour, and complene for defalt of justice, sen the same is now offerit, hir Majestie present to se it execute and na man willing to complene and seik justice.

Apud Jedburgh, xxv Octobris, anno, etc. lxvi.

Sederunt. Georgius Comes de Huntly. Jacobus Comes de Murray. Jacobus Comes de Bothwell. Joannes Comes de Atholl. Andreas Comes de Rothes. Georgius Comes de Caithnes. Episcopus Galloway. Episcopus Rossensis. Episcopus Orchadensis. Secretarius. Thesaurarius. Clericus Registri. Clericus Justiciarie.

Proclamation to keip gude reull at Jedburgh.

Forsamekill as the Quenis Majestie, movit of the zeale hir Hienes hes continewalie borne to justice, reparit to this cuntre, accumpaneit with hir nobilitie for administratioun thairof to the puyr oppressit subjectis, and sen hir hithercuming at Goddis plesour, hir Majestie is vexit with infirmitie and seiknes, quhairthrow hir Hienes is nocht abill, according to hir gude inclinatioun, to attend upoun that thing quhilk wes the occasioun of hir Majesteis reparing in thir partis at the first. And albeit the nobill men and counsall present hes gude hoip and confidence of hir gratious convalescence and restoring to helth, yit in the menetyme diverse personis, luffaris of unquietnes and ennemeyis to this commoun weill, mair respectand thair particular querrellis nor the quietnes of the cuntre, may peraventure tak occasioun throw hir Hienes disease and seiknes to revenge thair prevat querrellis and mak molestatioun and perturbatioun to the disturbing of all gude ordour, quhilk the nobilitie and counsall tymouslie foirseand, hes, with ane voce and mynd, consentit, and in the presens of God and on thair honouris, faythfullie promittit to utheris, that all particularitie feid favour or affectioun set asyde, thay sall declair thameselffis innemeis to the persoun or personis quhatsumevir, committaris of the said disordour and unquietnes as gif the offence wer done to ony of thame selffis in particular; and thairfoir ordanis ane officiar of armes to pas to the marcat croce of the burgh of Jedburgh, and thair be oppin proclamatioun command and charge all and sindry hir Majesteis liegis and subdittis quhatsumevir, that thai and ilkane of thame contene thameselffis in quietnes and gude ordour, and on na wayis tak upoun hand to put on armour, or to invaid molest persew or inquiet utheris in bodiis or gudis, be word deid or countenance, under the pane of tressoun; certifeing thame that sall presume to do in the contrair, besyde the punisement ordinar of the law and consuetude of the realme, thai salbe persewit and followit to the deid as tratouris to the haill realme; and the haill force and power of the nobilitie salbe usit aganis thame as gif the offence wer committit aganis ony of thair awin personis in particular.

Apud Jedburgh, quinto Novembris, anno, etc. lxvi.

Sederunt. Jacobus Comes de Murray. Jacobus Comes de Bothwell. Joannes Comes de Atholl. Andreas Comes de Rothes. Georgius Comes de Caithnes. Alexander Episcopus Candide Case. Joannes Episcopus Rossensis. Adame Episcopus Orchadensis. Secretarius. Thesaurarius. Clericus Registri. Clericus Justiciarie.

Windegaittis.

Anent the complaint maid be Sir Waltir Ker of Cesfurde Knycht Wardane of the Middill Marches of this realme, makand mentioun, that quhair oure Soveranis lettres are direct to poind and appryise his reddiest gudis and geir for the soum of threttie sevin pundis xix ß. stirling, contenit in ane bill fylit at the instance of umquhile Robert Scone at Pharnyhirst Mylne, aganis twa Inglismen callit Foresteris, becaus ane of the faltouris wes deliverit in the said Wardanis handis, quhome he sufferit to pas on band as the saidis lettres at mair lenth beris. Of the quhilk soum, Johnne Rutherfurde of Hunthill aucht and sould releif him, be ressoun he become obleist to the said Wardane for entre of the said faltour, or than to pay the soum contenit in the bill, lyke as at mair lenth is contenit in the said complaint. Bayth the partiis comperand personalie, thair rychttis, ressonis, and allegationis hard and undirstand, the Lordis of Secreit Counsall suspendis the lettres foirsaidis purchest be Male Windegaittis, relict of the said umquhile Robert Scone, for poinding of the gudis of the said Sir Waltir, simpliciter; and ordanis the gudis and geir of the said Johnne Rutherfurde of Hunthill to be poindit and apprysit thairfoir, and lettres to be direct to that effect, gif neid be; and als ordanis the said Sir Waltir, of his awin consent, to wryte effectuuslie to the Capitane of Bewcasteldaill in favouris and for releif of the said Johnne Rutherfurde of the said soum; and in like manner, upoun ressonabill considderationis moving thame, supersedis all poinding of the gudis and geir of the said Johnne for the space of xx dayis, and dischargeis all officiaris thairof, and of thair offices in that part during the said space, swa that he may mak diligence for his awin releif in the menetyme.

Cesfurd. Hunthill.

Anent the complaint maid be Sir Waltir Ker of Cesfurde Knycht Wardane of the Middill Marches of this realme, aganis Schir Thomas Ker of Pharnyhirst Knycht and Johnne Rutherfurde of Hunthill, for releif of Thomas Ker, servand to the said Sir Waltir, and payment of his expenssis during the tyme that he hes lyne in Ingland, as at mair lenth is contenit in the supplicatioun presentit be the said Sir Waltir. Bayth the partiis comperand personalie, thair rychttis ressonis and allegationis, being hard sene and undirstand, the Lordis of Secreit Counsall decernis and ordanis the saidis Sir Thomas Ker and Johnne Rutherfurde, to content and pay to the said Sir Waltir, Wardane foirsaid, the soum of fiftie pundis money of this realme, equalie betuix the saidis Sir Thomas and Johnne, within twenty dayis eftir the dait heirof, for the said Thomas expenssis during the space

of fyve monethis, viz., fra the fyft day of September, in the yeir of God $j^{m}v^{c}$ thre scoir fyve yeris, to the fyft day of Februare thaireftir following, but prejudice of the said Sir Walteris actioun for the remanent of the said Thomas Kerris expenssis sensyne, the decisioun quhairof the saidis Lordis hes continewit quhill thair being at Edinburgh, and that lettres be direct heirupoun, gif neid be, in forme as efferis.

Hunthill. Anent the complaint maid be Johnne Rutherfurde of Hunthill, makand mentioun, that quhair fyve or sex yeris syne or thairby, Sir Waltir Ker of Cesfurde Knycht Wardane of the Middill Marches of this realme, without ony lauchfull tryall according to the law of Marches, fylit diverse the said Johnnes tenentis in billis of Ingland, quhairof althoch thai wer innocent yit the said Sir Waltir causit denunce the said Johnne to the horne quhill he behuvit to speir the faltouris quhilkis lang syne hes redressit the gudis; and yit the said Sir Waltir retenis the saidis lettres of horning undistroyit, thinkand of malice to troubill the said Johnne thairwith, as at mair lenth is contenit in the said complaint. And the said Sir Waltir being chargeit to answer thairto, bayth the partiis comperand personalie, thair ressonis and allegationis hard and understand; the Lordis of Secreit Counsall suspendis the said proces of horne, gif ony be led aganis the said Johnne Rutherfurde be vertew of the saidis auld lettres, for quhatsumevir caus or occasioun bigane, unto the day and dait heirof; and gif he be put to the horne, ordanis him to be relaxit thairfra, becaus the said Johnne had enterit his men quhomewith he wes chargeit for releif of the Wardane, as wes cleirlie understand to the saidis Lordis.

Apud Edinburgh, quinto die mensis Octobris, [Novembris ?] anno Domini millesimo quingentesimo sexagesimo sexto.

Parochinaris and Persoun of Glasgw. The quhilk day, anent oure Soveranis Lord and Ladiis lettres, purchest be the Provest Baillies Counsall and Communitie of the city of Glasgow, and haill inhabitantis of the parrochyn thairof, makand mentioun; that quhair the Personis of Glasgow hes alwayis bene in use to furneis breid and wine at Pasche, as the ordour wes for the tyme, lyke as umquhile Henrie Bischope of Ross, last Persoun of Glasgow, wes in use to furneis breid and wyne to the halie communion continewalie sen the Reformatioun of religioun within this realme, and nevir maid obstakill nor refusall thairin; nevirtheles Maister Alexander Lawder, now Persoun of Glasgow, being lauchfullie requirit to furneis and ministrat breid and wyne at the ministratioun of the communioun, hes planelie refusit to do the samyn, throw the quhilk the communioun is delayit to the sclander and offence of God, and expres aganis all gude ordour. And anent the charge gevin to the said Maister Alexander Lawder, to furneis and sustene the said breid and wyne conforme to use and wount, or ellis to compeir befoir the King and Quenis Majesteis and Lordis auditouris of thair Chekker upoun the sext day nixt eftir the charge, and schaw ane ressonabill caus quhy he sould nocht do

the samyn, with certificatioun to him and he failyeit lettres sould be direct to the effect abonewrittin, lyke as the saidis lettres, executioun and indorsatioun thairof, at mair lenth proportis. The saidis Provest, Baillies, Counsall and communitie, comperand be Maister David Wemis, minister of the said Citie, and the said Maister Alexander Lawder being oftymes callit and nocht comperand, the Lordis of Secreit Counsall and auditouris of the Chekker decernis and ordanis lettres to be direct, chargeing the said Maister Alexander to furneis and sustene the said breid and wyne to the communioun at the ministratioun thairof now approcheand and in tyme cuming, conforme to use and wount, under the pane of rebellioun and putting of him to the horne; and gif he failyeis thairin, to denunce him rebell and put him to the horne, and to escheit, etc.

Apud Kelso, decimo die mensis Novembris, anno, etc. lxvi.

Lady Cesfurde and Chalmerlane of Kelso.

Anent the complaint maid be Dame Isobell Ker the spous of Sir Waltir Ker of Cesfurde Knycht, and the said Sir Waltir for his interes, makand mentioun, that quhair schö, as tutrix to Girsell Ker and Besse Ker, dochteris to umquhile Andro Ker of Cavertoun Knycht, lent to umquhile Williame Commendatare of Kelso, xxvii oxin to serve and labour in his plewis of Spoustoun; and now the said Commendatare being deceist, Johnne Schaw of Broych, our Soveranis Chamerlane of the Abbay of Kelso, hes intromettit with the saidis oxin, and on na wayis will deliver thame to the said Dame Kathrene, as tutrix to the saidis Girsell and Besse, being pooer fadirles pupillis, and having na uther thing left to thame be thair said umquhile fader; the said Johnne Schaw being warnit to answer to the said complaint, and comperand personalie, the treuth of the mater being ressonit and diligentlie tyrit; the Quenis Majestie and Lordis of Secreit Counsall decernis and ordanis the said Johnne Schaw, Chamerlane foirsaid, to content and pay to the said Dame Issobell, in name and behalf of the saidis pupillis, the soum of ten markis for ilk pece of xxv oxin, extending in the haill to the soum of j°lxvi ℔. xiii ß. iiii ₫., at twa termis, viz., the ane half at Fastrenis Evin, and the uther half at Witsonday, be equall portionis; quhilk the said Johnne undertuke to do.

Apud Striviling, xiiii Decembris anno Domini millesimo quingentesimo sexagesimo sexto.

To keip gude ordour in Stirling.

Forsamekill as presentlie nocht onelie a gude nowmer of the nobilitie and subjectis of this realme are reparit to this burgh, bot alswa the ambassatouris of diverse forayne Princes; and it is convenient that during the tyme of this assemblie all men contene thame selffis in gude and quiet ordour, but all offence or injurie to be schawin or done be ony of thame to utheris. Quhairfoir oure Soveranis ordanis ane herauld or uther officiar of armes to pas to the marcat croce of the burgh of Striviling, and thair be oppin proclamatioun in thair Majesteis name and autoritie, command and charge all

and sindry thair Hienessis liegis and subdittis quhatsumevir, presentlie convenit, or that sal happin to cum and convene to this burgh during the tyme of this assemblie, that thai, nor nane of thame, tak upoun hand to invaid inquiet molest or persew utheris, or mak provocatioun of troubill in word deid or countenance, owther for auld feid or new, in tyme cuming towart this burgh, remaning thairin or departing thairfra, under the pane of deid; and siclyke, that nane presume to weir or carie upoun thame ony culveringis daggis pistolattis or uther kynd of armour or wappynnis quhatsumevir, sword and quhinzear allanerlie exceptit, under the pane foirsaid; and that the capitane, constabill and keparis of the castell of Striviling, within the said castell, and the provest and baillies of this burgh, and thair officiaris within the samyn burgh, serche, seik and apprehend all personis contravenaris of this present ordinance, owther makand tulye or berand prohibit wappynnis and armour, and tak the same armour fra thame and escheit it, and put thair personis in strait ward and firmance, quhill thai be puneist as accordis; provyding that this present proclamatioun and ordinance extend nocht aganis our Soveranis gaird, the keparis of the castell within the samyn, and officiaris of this burgh likewyise within the samyn, quhilkis allanerlie salbe exemit thairfra; and that lettres be direct heirupoun in dew forme as efferis.

REGINA.

Assignation for the ministerie.

Forsamekill as the Ministeris within our realme this haill yeir bigane hes wantit thair stipendis in respect of sindry occasionis that hes intervenit, yit becaus we ar myndit and weill willit that the said ministerie be sustenit and interteneit in tyme cuming as efferis; thairfoir, with avyise of oure Secreit Counsall, hes tane sic ordour as we mycht best for the present, and hes assignit for sustentatioun of the said Ministerie certane victuales and money in sindry places and cuntreis to be tane up and disponit be the said Ministerie and thair Collectouris or Chalmerlanis as thai sall think maist expedient, extending to the soum of ten thousand pundis money, and four hundrith chalderis victuale, as the particular assignationis maid thairupoun mair fullelie proportis. We, thairfoir, be avyise of our Counsall foirsaidis, ordanis and decernis that the said Ministerie and thair Collectouris and Chalmerlanis quhatsumevir be thankfullie answerit and obeyit of the haill payment, alsweill of money as victuale foirsaid, throuchout oure haill realme quhairsoevir the samyn or ony part thairof is assignit; and lettres thairupoun to be decernit and gevin furth, owther of horning or poinding respective, as the said ministerie sall think expedient and require, commanding expreslie oure Clerk of Register and Comptrollar, and all utheris quhome it efferis or salbe requirit thairto, to deliver the attentik copyis and extract of the said assignatioun to the ministerie, with expres inhibitioun to oure Comptrollar, or ony uther Chalmerlanis to intromet or mell ony maner of way with the saidis assignationis, or ony part thairof, under all heich panis that may follow thairupoun. Subscrivit with our hand at

Striviling, the xx day of December, the yeir of God j^{m}v^{c}lxvi yeris, and of our regnne the xxiiii yeir, 1566.

Apud Striviling, xxi Decembris, anno, etc. lxvi.

The Lordis of Secreit Counsall hes sene and considderit the Quenis Majesteis writting within writtin, and findis the samyn ressonabill and convenient; and thairfoir, according to our Soveranis will and mynd within declarit, ordanis and requiris the Comptrollar and Clerk of Register to deliver the attentik copyis and extract of the assignationis within specifiit to the ministeris; and siclike, ordanis and requiris the Lordis of Counsall and Sessioun to grant lettres in the four formes with inhibitioun as is within desyrit, and the Comptrollar, present and to cum, to consent thairto upoun the saidis assignationis, in generall or particular, as salbe desyrit in dew forme as efferis.

Apud Striviling, secundo Januarii, anno, etc. lxvi.

Sederunt. Georgius Comes de Huntly. Archibaldus Comes de Ergyle. Jacobus Comes de Murray. Georgius Comes de Caithnes. Joannes Comes de Sutherland. Joannes Episcopus Rossensis. Alexander Episcopus Candie Case. Secretarius. Clericus Registri. Advocatus. Camerarius Rossensis.

The Lordis of Secreit Counsall hes statute and ordanit that na thing concerning the thridis of benefices or uther materis quhilkis requirit the subscriptioun, be past or subscrivit bot in the Counsall convenit, and in absence of the partie.

Assignation for the House.

Forsamekill as for mair suir and tymous furnissing of our Soveranis hous, hir Hienes and Lordis of Secreit Counsall, with avyise of Sir Williame Murray of Tulibardin Knycht, hir Comptrollar, hes segregat and put apart certane of the thridis of the benefices and assignit the samyn to Alexander Durehame, Argentier, to that effect, to be intromettit with, liftit, and inbrocht to him, as at lenth is contenit and specifiit in the extract subscrivit be hir Hienes and hir Counsall foirsaid thairupoun. Quhairfoir, and to the effect that the said assignatioun may tak full effect in all pointis, it is statute, ordanit, concludit, and determinat be hir Majestie and Counsall foirsaid, that na maner of gift, tak, or pensioun salbe maid or gevin out of the said assignatioun be hir Majestie, nor na part thairof be gevin fre to ony maner of persoun; and gif ony ellis be gevin or maid, revokis and rescindis the same, inhibitand the Lordis of Counsall and Sessioun, and the keparis of all the seillis, that thai pas na sic giftis nor dischargeis of thridis, nor yit gif lettres nor proces thairupoun at the instance of ony partie to be answerit thairof quhill the said Argentier be satisfiit and he consent thairto. And becaus it is havelie menit be the said Comptrollar that the furnissing of hir Majesteis hous and the uther

neidfull effaris quhairfoir the thridis wer appointed inlakis, and can nocht be weill sustenit, be ressoun of the greit dissobedience of mony and diverse that passis to the horne for non payment of the saidis thridis; thairfoir hir Hienes and Counsall foirsaid hes ordanit concludit and determinat, that gif ony personis ar alreddie, or heireftir sal happin to be, put to the horne for non payment of the thridis of benefices, commoun kirkis, freris landis, or utheris rentis of the collectorie, that the collectoris and ressaveris of the rentis or executoris of the lettres, immediatlie eftir the denunciatioun, deliver a copy of the lettres and executionis to the Sheref of the schyre, or his deputtis, and tak documentis thairupoun, and send the said document, togidder with ane attentik copy of the saidis lettres and executionis subscrivit with his hand to the said Comptrollar, or Alexander Durehame, Argentier foirsaid, and that the Sheref of the schyre, incontinent eftir his ressait of the saidis lettres and copiis, escheit and inbring the haill gudis and geir of the personis denunceit, and mak payment—first of the det quhairfoir thai wer denuncit to the said Comptrollar, his ressavaris and collectouris, or Alexander Durehame,—and remanent to the Thesaurare; and likewyise, seik the personis denuncit, and bring thame to the Quenis Majestie and hir Secreit Counsall to be puneist for thair dissobedience within twentie dayis eftir the delivering of the saidis copiis and significatioun of the horning foirsaid, under the pane of tinsall of thair offices; and that lettres be direct heirupoun in dew forme as efferis.

Hall Inglisman. Keith in Akirgill.

The Quenis Majestie and Lordis of Secreit Counsall, undirstanding that Johnne Keyth in Ackirgill,—being decernit be decreit of the Lordis of Counsall and Sessioun to haif payit certane sowmes of money to Raulphe Hall Inglisman indwellar of York, for certane gudis takin be pyrattis and resset and intromettit with be the said Johnne,—he wes put in ward within the castell of Edinburgh quhill the payment of the saidis sowmes of money; and nevirtheles wes fred and relevit furth of the samyn in the troublis upoun celerat and wrangus narrative without satisfactioun or payment maid to the partie of the sowmes recoverit aganis him, tending to lay the burding of the payment thairof upoun our said Soverane Lady. Quhairfoir hir Majestie and Counsall foirsaid, ordanis lettres to be direct to charge the said Johnne Keyth to entir his persoun in ward within the said castell of Edinburgh, thair to remane upoun his awin expenssis, quhill he haif maid payment of the sowmes recoverit aganis him, and be fred be oure Soverane and Counsall foirsaid; and that he cum to the Secretare or his deputtis keparis of the signet, and ressave lettres for his ressait in ward within the said castell within xv dayis nixt eftir he be chargeit thairto, under the pane of rebellioun and putting of him to the horne; and gif he failye thairin, the saidis dayis being bipast, to denunce him rebell and put him to the horne, and to escheit, etc. And for the mair suir executioun upoun the said Johnne in respect that the mater concernis strangeris, ordanis lettres alswa to be direct, chargeing Williame Erle Marschell upoun quhais landis the said Johnne dwellis, and as maister and

cheif to him, to entir and present the said Johnne befoir oure Soveranis and thair Counsall, at Edinburgh, or quhair it sal happin thame to be for the tyme, upoun the xxx day nixteftir the charge, to answer to sic thingis as salbe laid to his charge, eftir the forme of the generall band, and under the panis contenit in the samyn; or ellis that he upoun the samyn xxx day compeir befoir hir Hienes and Lordships and schaw ane ressonabill caus quhy he sould nocht do the samyn; certifeing the said Erle and he failye, the said xxx day being bipast, he salbe callit and accusit as ane mantenar of wickit and brokin men aganis ordinar justice, and puneist thairfoir, conforme to the tennour of the said band in all pointis.

Apud Striviling, decimo die mensis Januarii, anno, etc. lxvi.

Sederunt. Domini ut in die predicto.

Provisioun for sustentatioun of the ministeris in Burrowis.

The quhilk day, the Quenis Majestie and Lordis of Secreit Counsall, being weill myndit that the Ministerie within this haill realme be interteneit alsweill to burgh and land, as hir Majestie fand the samyn at the arryvall in Scotland; and becaus the haill Lordis of Secreit Counsall may nocht weill vaik at all tymes for the ordouring thairof, being occupiit with uther wechtie materis, thairfoir hir Hienes, with avyise of hir Counsall foirsaid, hes constitute and namyt hir lovittis underwrittin:—My Lordis Huntly Chancellar, Ergyle, Murray, Bothwell, Atholl, Cassillis, Craufurde, and Mar; my Lordis Bischopis of Galloway, Roise, and Orknay; my Lord Secretare, Maister Johnne Spens of Condy Advocat, Sir Johnne Bellenden Justice-Clerk, Sir James Balfour Clerk of Register, and David Fores generall of the Cunyehous,—to quhome be thir presentis the Quenis Grace and hir Counsall foirsaid gevis thair full power and commissioun, or to ony fyve or sex of thame, to call befoir thame the haill burghis of this realme, generallie or particularie, as thai or ony fyve or sex of thame sall think expedient, and to considder the habiliteis of the saidis burghis particularie, and according thairto, to appoint and imputt particular taxatioun or impositioun upoun everie burgh yeirlie, to be gadderit and upliftit for sustentatioun of the said Ministerie be thame selffis, thair Collectouris or Chalmerlanis, as the saidis Commissionaris, or ony fyve or sex of thame, sall think expedient, as thai will answer to God and the Quenis Majestie thairupoun; and quhatsumevir the saidis Commissionaris, or ony fyve or sex of thame, do in thir premissis, the samyn to haif the lyke force and effect as gif the samyn wer done in plane counsall; and lettres to be direct thairupoun as efferis, as the said ministerie and thair collectouris will requeir. And alswa for releif of the saidis burghis, the Quenis grace, with avyise of hir Counsall foirsaidis, be thir presentis, gevis and grantis to the saidis burghis, and everie ane of thame, the annuellis of Alteragis, Chapellanereis, and Obittis within the samyn quhairevir the samyn sal happin to vaik be the deceise of the possessouris thairof—or utherwayis hes happynnit to vaik sen the Quenis Grace arryvall in Scotland, quhilkis as yit remanis ungevin or distributit to ony persoun; and that to releif the

taxatioun and contributioun foirsaid, and the superplus of the saidis annuellis and obittis, gif ony beis, to be distributit to the pouer and hospitallis of everie burgh within thame selffis, be avyise of the minister and eldaris thairof, as thai will answer to the maist Heast thairupoun, and lettres to be directit be the Lordis of Secreit Counsall and Sessioun as thai salbe requirit for publicatioun of thir premissis.

Apud Edinburgh, xii die mensis Februarii, anno, etc. lxvi.

Offer of reward to ony that will reveill the Kingis murther.

Forsamekill as it is nocht unknawin, how that upoun the tent day of Februare instant, at twa houris eftir midnycht, the hous quhair umquhile the Kingis Grace wes ludgeit wes in ane instant blawin in the air, he slepand in his bed for the tyme, with sic a force and vehemency that of the haill ludgeing walles and uther thair is na thing left unruinated, and doung in drosse to the verie ground stane; and nocht lang thaireftir the bodiis of his Grace and of a servand fund deid within schort space to the same ludgeing, besydes sum utheris that throw the rewyne of the hous wer oppressit, and sum at Goddis plesour preservit. Quhilk horrible and mischevious deid, as Almychty God will nevir suffer it to ly hid, sa or it sould remane untryit, the Quenis Majestie, oure Soverane, quhome unto of all utheris levand the caise is maist grevous, had rather losse lyff and all; and the nobilitie and Counsall likewyise will leif na thing possibille undone quhairthrow the authouris of sa ungodlie and strange ane interpryise may be revelit and regorouslie puneist, as the offence justlie dois requeir. Quhairfoir hir Majestie, with avyise of hir Secreit Counsall, hes statute, ordanit, and decreed, that quhasaevir will first reveill the personis devysaris counsalouris or actuall committaris of the said mischevious and tressonabill murthour, to the effect that thai may be dewlie puneist thairfoir—the first revelar, as said is, althoch he be ane culpabill and participant of the same cryme—sal haif fre pardoun and remit, quhairunto this present Act and ordinance salbe sufficient warrand to him; and besydis that, salbe honestlie rewardit and recompansit to the lestand weill of him and his posteritie; at leist sal haif twa thowsand pundis money, and be provydit of ane honest yeirlie rent at the sycht of hir Majestie and hir Counsall; and ordanis Lyoun King of Armes, his brethir herauldis and maseris, and all utheris officiaris, to mak publicatioun heirof be oppin proclamatioun at the marcat croce of Edinburgh, and all utheris places neidfull.

Mr James Hammyltoun.

At Edinburgh, the first day of Marche, the yeir of God $j^{m}v^{c}$ thre scoir sex yeris, anent the supplicatioun presentit be Maister James Hammiltoun, Redar in the kirk of Glasgow, makand mentioun, that quhair James Law, Thomas Ross, Robert Forthik and utheris, astrictit in payment of the commonis of the new kirk of Glasgow, hes persewit the said Maister James on the ane part, and the Lard of Mynto, Collectour to the Comptrollar, on the uther part, for dowbill horning, and to schaw bayth thair rychttis befoir the Lordis of Counsall, that thai mycht knaw quhilk of thame that

thai sould answer and obey to of the saidis commonis; and the said Maistir James for his part comperit and allegeit that as the ordour stude for the tyme, thair wes xl pundis of the said commonis appointit and assignit to him in the yeir of God j^{m}v^{c} thre scoir ane yeris as Redar foirsaid, and lettres in the four formes grantit for answering and obeying of him thairof; be vertew of the quhilk he, as Redar foirsaid, wes in possessioun of uplifting of fourtie pundis of the saidis commonis, and in speciall of the hous maill occupiit be the saidis tennentis, extending to xxii ℔. yeirlie, be the space of thre yeris thaireftir without impediment; and becaus the Lard of Mynto as Collectour, maid the said Maister James sum impediment of the rest of the saidis yeris bipast, he menit him to the Lordis of Secreit Counsall sittand in Chekker in the moneth of September last bipast, quha, upoun his complaint in presens of the said Collectour confrontit with him, fand and deliverit that he sould haif lettres in the four formes, to be answerit of the said sowm of fourtie pundis of the saidis commonis, ordaning the said Collectour to desist and ceise fra all forder troubling and impediment making to the said Maister James in brouking thairof; and grantit him lettres in the four formes thairupoun, quhairby he aucht to be answerit of the saidis fourtie pundis of all termis bipast, and specialie the males of the said hous being ane part of the said commontie, as the samyn hes bene be the space of xvi or xvii yeris last bipast; and at the ressoning of that caus befoir the Lordis of Sessioun, they remittit the samyn agane to the saidis Lordis of Secreit Counsall, lyke as at mair lenth is contenit in the said supplicatioun. The Lordis of Secreit Counsall, havand considderatioun of the premissis, decernis the saidis tenentis to answer and obey the said Maister James according to the rate of fourtie pundis and puttis silence to the said Collectour according to the saidis last lettres of horning past at the said Maister James instance be the said ordinance, quhilk the saidis Lordis decernis to be put to forder executioun, eftir the tennour thairof, upoun the tenentis abone writtin; becaus the saidis Lordis hes fund that the saidis lettres ar ordourlie procedit, and the dewiteis abone mentionat is allowit and admittit in the chekker to the said Maister James, and thairfoir suspendis all utheris lettres of horning gevin thairupoun simpliciter for the caussis abonewrittin, as the saidis Lordis ordinance heirupoun subscrivit with thair handis proportis.

Apud Edinburgh, xi Marcii, anno, etc. lxvi.

Sederunt. Georgius Comes de Huntly. Archibaldus Comes de Ergile. Jacobus Comes de Murray. Jacobus Comes de Bothwell. Georgius Comes de Caithnes. Joannes Episcopus Rossensis. Alexander Episcopus Candide Case. Secretarius. Clericus Registri. Clericus Justiciarie. Advocatus.

Raid aganis Liddisdaill.

The Quenis Majestie and Lordis of Secreit Counsall, undirstanding the tressonabill fyre rasing, slauchter, oppin reiffis, and commoun thift dalie

committit be the dissobedient subjectis of Liddisdaill, nocht onelie upoun the trew liegis of this realme, bot als upoun the subjectis of England, alsweill to the greit hurt of the commoun weill of this realme as to the dangear of the peace, gif tymous remeid be nocht provydit; and thairfoir it is thocht convenient that the saidis rebellious and dissobedient subjectis be persewit be the forceis of all the Wardanis quhill thai be brocht to obedience, or puneist for thair offenssis, quhairunto the Quene of England hes promeist to caus hir officiaris hald hand. Quhairfoir hir Majestie ordanis lettres to be direct, chargeing all and sindry Lordis, Baronis, Frehalderis, Gentilmen, Landit men, and substantious Yemen—men within the boundis of the saidis Wardanereis, that thai, and ilkane of thame, with thair substantious houshaldis, kin, and freindis, weill bodin in feir of weir, with sex dayis victuales and furnissing eftir thair conventioun, meit the Wardane of that Wardanerie quhairin thai dwell, at sic day and place as he appointis be his proclamatioun; and frathyne pas furthwart with him and attend upoun sic directioun and commandiment as he sall gif for persute of the saidis rebellis and dissobedient personis or defence of thair invasioun, under the pane of tinsall of lyff, landis, and gudis.

Apud Edinburgh, xiiii die mensis Marcii, anno, etc. lxvi.

That nane transport James Murray.

The Quenis Majestie, undirstanding that James Murray, bruther to Williame Murray of Tulibardin Knycht, hes devysit, inventit, and causit be set up certane payntit paperis upoun the Tolbuith dur of Edinburgh, tending to hir Majesteis sclander and defamatioun, and swa committand oppin and manifest treasoun aganis hir Hienes, for the quhilk hir Majestie hes causit direct chargeis commanding him to compeir befoir hir Hienes, to answer unto sic thingis as ar to be imputt to him; and nevirtheles knawing that he will nocht compeir bot withdraw him furth of this realme for eschewing of sic condigne punisement as his tressonabill interpryise meritis; thairfoir ordanis lettres to be direct for publicatioun heirof at the marcat croces of Edinburgh, Leith, Perth, Dunde, Montroise, Abirdene, Sanctandrois, and all utheris burrowis portis and places neidfull; and to command and charge the Provestis and Baillies of the saidis townis and portis, that thai, and ilkane of thame, mak diligent serche that the said James eschew nocht, nor pas be schippis furth of thair havynnis or portis, as alswa to charge all and sindry the maisteris, skipparis, and marinaris of schippis, that nane of thame tak upoun hand to ressave the said James in thair schippis, or transport him furth of this realme, under the pane of deid; with certificatioun to thame and thai do in the contrair, thai salbe repute and estemit partakeris with the said James in his tressonabill deidis, and puneist thairfoir with all regour, in exempill of utheris.

Apud Edinburgh, xxi die mensis Marcii, anno Domini millesimo quingentesimo sexagesimo sexto.

Sederunt. Georgius Comes de Huntlie. Archibaldus Comes de Ergile. Jacobus Comes de Bothwell. Georgius Comes de Caithnes. Joannes Episcopus Rossensis. Alexander Episcopus Candide Case. Secretarius. Thesaurarius. Clericus Justiciarie.

Anent the supplicatioun presentit to oure Soverane Ladie and Lordis of hir Secreit Counsall be Maister James Halieburtoun Provest of Dunde, makand mentioun, that quhair hir Majesteis umquhill derrest moder in hir Hienes absence, havand considderatioun of the ernist travell, greit laubouris and large expenssis bestowit be the said Maister James in hir Graces service in the effaris of this realme, specialie in withstanding of Ingland in tyme of weir, and, willing to recompense the samyn, obleist hir to provyde the said Maister James to ane yeirlie leving and rent of fyve hundrith pundis money of this realme; quhilk beand sufficientlie notifiit to the Quenis Majestie eftir her arryvall, hir Grace, havand respect to the said formar promeise, and be ressoun of continewance of the said Maister James service, provydit him to the said yeirlie pensioun; and for suir payment thairof assignit unto him the males, fermis, proffittis, and dewiteis of the toun and landis of Clene, with the place, yairdis, orchardis, croftis, medowis, corne mylne, and akeris thairof, adjacent to the toun of Clene, with the wod and park thairof; and als the twa scheip stedingis pertening and adjacent thairto, callit Phillanis Hill, Over and Nether Petline; and siclike the townis and landis of Ovir and Nethir Durdie, and all thair pertinentis liand within the sherefdome of Perth. And be vertew of the said assignatioun, the said Maister James wes in possessioun of the saidis landis and frutis assignit for the said pensioun, quhill that under pretext of the ordinance maid upoun the xvii day of September, the yeir of God $j^{m}v^{c}$ thre scoir sex yeris, declarand all giftis, takkis, and pensionis maid and gevin to quhatsumevir personis of thrids of Kirklandis assumt to oure Soverane and for the sustentatioun of hir hous to be of nane avale, the said Maister James is impedit in josing and using of his said pensioun, albeit the samyn beand gevin for sic caussis as is befoir rehersit, sould na wyise be comprehendit under the said ordinance, as at mair lenth is contenit in the said supplicatioun. Oure Soverane Ladie, with avyise of the saidis Lordis, eftir sufficient knawlege of the promeis of the said pensioun first maid be hir said umquhill derrest moder, and thaireftir renewit be hir Grace, as als eftir diligent tryall and prufe of the said Maister James service foirsaid, and greit expenssis debursit be him be the occasioun thairof, throw furthsetting of the quhilk hir Majestie and the saidis Lordis, perfytelie understanding the said Maister James to haif burdynnit himself, his hous and freindis, with greit dett, besyde his said exceding travell; havand thairfoir considderatioun thairof, hir Hienes and Previe Counsall foirsaid, findis that the dispositioun of the said pensioun and assignatioun maid for payment thairof, is and wes maid for performing of ane part of hir Graces maist

Mr James Haliburtoun.

necessar effaris, not extort be the importunitie of the said Maister James without ony sufficient caus, bot that the samyn wes maid maist justlie in recompensatioun of his lang service and greit expenssis foirsaidis; and thairfoir that the samyn sall nocht be comprehendit in the revocatioun and inhibitioun contenit in the said ordinance, be ressoun that the said pensioun is nocht onelie als necessarlie bestowit upoun the said Maister James as gif the samyn wer imployit in oure Soveranis awin ordinar, quhilk hir Majestie, with avyise of the saidis Lordis, presentlie declaris, decerning the executioun of the said ordinance to ceise and be suspendit simpliciter, anent the said pensioun in tyme cuming; bot als becaus hir Majestie and Counsall foirsaid, in the assignatioun takin for sustening of hir Hienes hous, hes assumit the money, quheit, beir, and meill underwrittin in place of it, quhilk is disponit and assignit for payment of the said Maister James pensioun, extending to the quantiteis particularlie following, viz., the thrid of the parsonage and vicarage of Abirnythie, xxix ℔. viii ß.; the thrid of the parsonage of Inchemagranoch and vicarage of Ochtergam, xv ℔. money; and the thrid of the Abbay of Culross, ane chalder, ane boll; the thrid of the Abbay of Hadingtoun, xiiii bollis, twa peckis, 2 part pek; the thrid of the Abbay of Northberwik, thre chalderis, four bollis quheit; and the thrid of the denerie of Brechin, ane chalder, ten bollis, twa firlottis, twa peckis, 2 part pek; the kirk of Kynnell, ane chalder, thre bollis, thre firlottis, ane pek, 2 part pek; the Cordilier Freris of Dunde, ane chalder; the thrid of the chapellanerie of Bakie, ane chalder; the thrid of Scotland Well, xiiii bollis, ane firlot, ane pek, 3 part pek; the thrid of the parsonage of Dysert, xiiii bollis, twa firlottis, ane pek; the thrid of the Abbay of Culross, fyve chalderis, thre bollis, twa firlottis; the thrid of the denerie of Dunkeld, ane chalder, fyve bollis, 3 part boll beir; and the thrid of the Denerie of Brechin, thre chalder, fyve bollis, 3 part boll; the kirk of Kynnell, thre chalder, twa bollis meill—quhilk in the haill excedis the soum of the said Maister James pensioun; and in sa far as it may appeir to be requirit to the validitie of the said Maister James rycht, will and grantis that this present Act haif the strenth and effect of ane new provisioun and assignatioun for all the dayis of his liftyme. Provyding alwayis, that gif it sal happin in ony tyme heireftir the said Maister James to be debarrit fra the saidis landis and frutis, assignit be ony new ordour to be takin anent the saidis kirklandis, the said Maister James sal haif recourse to the reddiest frutis pertening to oure Soverane within this realme, for thankfull payment of the said pensioun to him during all the dayis of his liftyme; and ordanis the Comptrollar to mak thankfull payment to him of samekill of the saidis frutis assignit as he hes upliftit sen the dait of the gift and assignatioun maid to him thairupoun under the previe seill, quhilk is the xii day of Junii last bipast, in the yeir of God j^{m}v^{c} thre scoir sex yeris; and gif neid be, ordanis the Lordis of Counsall and Sessioun to direct lettres in all the four formes aganis the said Comptrollar and all utheris intromettouris with the saidis frutis, landis, and mylne foirsaid, chargeing thame to answer and obey the said Maister James of the payment of the saidis maillis,

fermis, and dewiteis of all yeris bipast and to cum; provyding alswa that eftir oure Soverane sal happin to provyde the said Maister James to ane sufficient yeirlie pensioun of ane thowsand pundis, or ane uther persoun quhome he sall present to ane benefice of the samyn availl, that eftir the said provisioun be suirlie maid this present sall expyre. Provyding alwayis that this present Act and provisioun sall stand in strenth and effect allanerlie during the liftyme of Patrik, now Bischope of Murray, Commendatare of the Abbay of Scone; and the said Commendatare, now Abbot of Scone, beand departit, than and in that caise the said Maister James, than as now and now as than, renuncis, quitclamis, dischargeis and ouregevis the strenth and effect of the said Act and provisioun, with all rycht and titill of rycht that he may ony wyise heireftir pretend be vertew thairof, or utherwayis to the males, fermis, teindis, proffittis and dewiteis abone specifiit, swa that he sall haif na rycht nor entres thairto be vertew of this provisioun eftir the said Commendataris deceise; and gif it sal happin the said Maister James nocht to be utherwyise provydit and satisfiit of the said pensioun the tyme of the decise of the said Commendatare now present, and that becaus the said abbay is utherwyise provydit eftir his deceise—in that caise our said Soverane Ladie promittis and obleissis hir and hir successouris, in verbo regio, that hir Grace sall provyde and satisfie the said Maister James of alsmekill pensioun and proffeit be yeir of the thridis of benefices of this realme quhilk he sall cheis and nominat, ay and quhill he be utherwyise provydit of his pensioun and leving of ane thowsand pundis yeirlie as said is.

Apud Edinburgh, xii die mensis Marcii, anno Domini j^{m}v^{c} sexagesimo sexto.

Inglis merchandis of Carmerthen.

The Quenis Majestie and Lordis of Secreit Counsall, undirstanding that diverse inhabitantis of the cuntre of Galloway intromettit with certane gudis pertening to diverse marchantis of the townis of Carmerthen, Haverfurde West, and West Chestir, in Ingland, and takin in pirace be Andro Quhyte; quhilkis intromettouris being callit befoir Johnne Lord Hereis, Wardane of the West Marches of this realme, and Commissionar to our Soverane Ladie in that part, at last agreit with the Inglis marchantis for the soum of iiii^{c} ℔. stirling, and enterit thame in payment of ane part thairof; and for payment of the rest, Alexander Stewart, youngar of Garleis, and Johnne Dunbar of Mochrum, become obleist in presens of the said commissionar, quhairunto he interponit his decreit and autoritie; and albeit thai have bene oft and mony tymes requirit to mak compleit payment of the soum restand awand be thame, nevirtheles thay have postponit and defferrit to do the samyn. The Quenis Majestie, being ernistlie suitit be the Quene of Inglandis ambassatouris and servandis for payment of the samyn, thairfoir hir Hienes and Counsall ordanis lettres to be direct, chargeing the said Alexander Stewart of Garleis, youngar, and Johnne Dunbar of Mochrum, to pas to the said Wardane and compt and rekkin

with him, and mak full and compleit payment and deliverance to him of sa mekill of the said soum as restis unpayit, within xv dayis nixt eftir thai be chargeit thairto, under the pane of rebellioun and putting of thame to the horne; or ellis that thai, within the samyn xv dayis, pas and entir thair personis in ward within the castell of Blakness, thair to remane upoun thair awin expenssis, ay and quhill thai have fulfillit the command of the lettres and be fred be hir Hienes, and that thai cum to the Secretare or his deputtis, keparis of the signet, and ressave lettres for thair ressait in ward within the said castell. The quhilkis xv dayis being bipast, and thai dissobeyand and nocht fulfilland the command of the lettres, nor yit enterand thair personis in ward within the said castell as said is, that the officiar incontinent thaireftir denunce thame rebellis, and escheit, etc.

Apud Edinburgh, xxviii Marcii, anno Domini millesimo quingentesimo sexagesimo septimo.

Sederunt. Georgius Comes de Huntlie. Archibaldus Comes de Ergile. Jacobus Comes de Bothwell. Georgius Comes de Caithnes. Joannes Episcopus Rossensis. Alexander Episcopus Candide Case. Secretarius. Thesaurarius. Clericus Justiciarie.

Warnyng to pursew for the Kingis murthir.

The quhilk day, forsamekill as the Quenis Majestie and Lordis of Secreit Counsall, calling to rememberance how a proclamatioun wes maid and set furth be hir Hienes, offerand—to all personis that wald reveill the authouris of the cruell murthour of the King, hir derrest husband, althoch thai wer culpabill—remissioun with large reward and promotioun; and how Mathow Erll of Levenax, at the occasioun of sum tikkettis affixt on the Tolbuyth dur of Edinburgh, be his lettre sent to hir Majestie, had desyrit James Erll Bothwell, and certane specifiit in the saidis tikkettis, to be apprehendit as suspectit be the said Erll of Levenax, and retenit in custody quhill thai wer tryit as appertenis; throw quhais report maid be his lettre, hir Majestie convenit hir Counsall and diverse utheris of hir nobilitie this day, and to thame exponit the caise, requirand thair avyise and counsale quhat wes best and maist requisite to be done in the mater, als weill for the cleir tryall thairof, it being maist deir to hir Hienes, as for satisfactioun of the said Erll of Levenax desire. The Quenis Majestie and Lordis of hir Previe Counsall hes thocht gude that the said Erll Bothwell and remanent personis suspectit and delatit, be put to the knawlege of ane assyise for the said murthour, and justice ministrat upoun thame, conforme to the lawis of this realme. And thairfoir ordanis hir Justice Clerk to direct lettres, at hir Advocattis instance, to warne the said Mathow Erll of Levenax, personalie or at his dwelling place,—and all utheris that will accuse the said Erll Bothwell and remanent personis suspectit and delatit of the said murthour,—be oppin proclamatioun at the marcat croces of Edinburgh, Glasgow, Dunbartane, and utheris places neidfull, to compeir in the Tolbuyth of Edinburgh, befoir the Justice and his deputtis, the xii day of

Apprile nix to cum, and thair persew the said Erll and his complices, or utherwayis to do quhilk is necessar and expedient for the cleir tryall of the said mater.

Apud Dunbar, secundo Apprilis, anno j^{m}v^{c}lxvii^{o}.

Provestrie of Perth.

The Quenis Majestie, undirstanding how for the furtherance and avancement of hir Majesteis service and commoun weill of the burgh of Perth, hir Hienes laitlie direct lettres for electing of hir cousing William Lord Ruthven in Provest thairof, and certane inhabitantis of the samyn, maist honest and famous, in Baillies, Thesaurare, Dene of Gild, and commoun clerk of the said burgh. At command of the quhilkis lettres upoun the xxiiii day of Apprill last bipast, the Counsale, dekynnis of craftis, and maist part of the communitie of the said burgh convenand in the Tolbuyth thairof—certane particular personis onelie exceptit—electit and chesit the said Williame Lord Ruthven Provest, Patrik Murray of Tibbermure, Thomas Monypenny, Alexander Monypenny, Robert Pettillo, James Moncreif, Oliver Peblis, Andro Quhyte, Alexander Gibsoun, Williame Cok, Walter Pyper, Andro Merser, and Patrik Justice, to be on the Counsall; and alswa electit and chosit Johnne Murray, Johnne Andersoun youngar, Williame Flemyng, and George Johnnestoun, Baillies; Alexander Oliphant, Dene of Gild; and James Hepburne, Thesaurare; quhill the feist of Michaelmas nix to cum; and ressavit and admittit Sir Henrie Eldar in commoun clerk for his liftyme, conforme to his electioun of befoir, and certane personis in officiaris and servandis, as ane act maid thairupoun at mair lenth proportis. Nevirtheles, certane factious and seditious personis, indwellaris of the said burgh, nocht onelie opponit thame selffis to the said electioun, bot als safar as in them lay presumit to have maid troubill the said day, and yit continewand in thair perversit cogitationis, nocht onelie intendis to disturb the said electioun be rasing of pley befoir the Lordis of Sessioun, bot als be stering up of partiis within the said burgh, to the greit inquietatioun of the inhabitantis thairof and commoun weill of this realme, gif tymous remeid be nocht provydit, quhais rasche attemptattis mon be foirsene and evadit. Thairfoir hir Majestie ordanis lettres to be direct, chargeing Williame Tyrie, Andro Ramsay, Johnne Maxtoun, Thomas Fentoun, Johnne Ogstoun, Johnne Strameglo, Robert Chepman, Adame Blakwod, to obey the command of the saidis utheris lettres in electing and chesing of the said Lord Ruthven Provest, and utheris personis abonewrittin in Baillies, Counsall, Thesaurare, Dene of Gild, and commoun clerk of the said burgh, eftir the forme and tennour thairof; or ellis pas and entir thair personis in ward within the Castell of Dunbartane, thair to remane upoun thair awin expenssis, ay and quhill thai have obeyit the command of the saidis utheris lettres in electing, chesing, and admitting of the personis abonespecifiit in Provest, Baillies, Counsall, and utheris officiaris of the said burgh eftir the forme of the said Act maid the said xxiiii day of Apprile instant, and be fred be hir Majestie, under the

pane of rebellioun and putting of thame to the horne; and gif thai failye, to denunce the dissobeyaris to the horne, and to escheit, etc., and that within thre dayis eftir the charge, and that the Secretare and his deputtis, keparis of the signet, pas lettres for thair ressait in ward within the said castell; and als to command and charge the saidis William Flemyng, George Johnnestoun, and Johnne Andersoun youngar, to accept the office of Ballierie upoun thame, the said James Hepburne the office of Thesaurare, the said Alexander Oliphant the office of Dene of Gild, in and upoun thame respective, and to gif thair ayth for dew administratioun in thair offices quhill the said feist of Michaelmes, within thre houris nixt eftir thai be chargeit thairto; and gif thai failye, to denunce the dissobeyaris rebellis and put thame to the horne; and inlikwyise to charge Sir Waltir Ramsay, pretendit court clerk of the said burgh, to deliver the townis bukis, court bukis, and scrollis ressavit be him at the said feist of Michaelmes last bipast, togidder with the court bukis and scrollis maid and usit be him sen the said feist; and the said Andro Ramsay to deliver to the said Alexander Oliphant, Dene of Gild foirsaid, the gild buke; and the personis foirsaidis, and utheris quhais names salbe gevin in bill, to deliver to the said Dene of Gild the keyis of the revestrie, with the keyis of the charter kist, and of all commoun houssis of the said burgh, with the commoun seill of the samyn, within thre houris nixt eftir the said Sir Walter Andro Ramsay and utheris personis abonewrittin be chargeit thairto, under the said pane of rebellioun and putting of the dissobeyaris to the horne; and gif thai failye, to put thame thairto. And becaus hir Majestie is credibillie informit that the saidis personis, dissobeyaris and utheris thair collegis, hes maid a league and band amangis thame, to resist the saidis Provest and Baillies electit and chosin at hir Hienes appointment and commandiment as said is, tending that continewall contraversie and debait sall remane within the said burgh, expres contrair the tennour of the Actis of Parliament; and that the same bandis is in the handis of Maistir Patrik Maxtoun, notar—at leist he hes the extract or copie thairof, or knowis the pointis and contentis of the samyn; thairfoir to charge the said Maistir Patrik to present the said band or copy thairof, be him self personalie befoir hir Majestie and Counsale quhair it sal happin hir Hienes to be for the tyme; at leist to answer upoun the pointis and heidis thairof, and sic utheris thingis as salbe laid to his charge, within thre dayis nixt eftir the charge under the said pane of rebellioun; and gif he failyeis, to put him to the horne, and to escheit, etc.

Apud Seytoun, quinto Apprilis, anno, etc. $j^{m}v^{c}$ sexagesimo septimo.

That the Comptrollar intromet with na thing belangand to the Thriddis.

The Quenis Majestie, undirstanding how hir Hienes, be avyise of the Lordis of hir Secreit Counsall, considderit the rentall of the thridis of benefices, and thairof assignit a part alsweill in money and victualis and uther profittis for the sustentatioun of hir Hienes hous, and ane uther part of

the samyn to the ministeris, as the particular extractis and rollis maid of the samyn mair fullelie proportis; and nochtwithstanding hir Majestie is suirlie informit that hir Hienes Comptrollar, his collectouris and chalmerlanis ar intromettand and uptakand the saidis money and victuallis,—alsweill assignit to the sustentatioun of hir Hienes hous, and ordanit to be ressavit be hir Argentier, as of the part separat and dedicat to the Ministeris—tending to apply the samyn utherwayis nor is appointit in the said assignatioun, expres contrair the meaning of hir Majestie and Counsall foirsaid, and to the breking of the said ordour takin, gif remeid be nocht provydit. Thairfoir ordanis lettres to be direct, inhibitand all and sindry hir Hienes liegis to answer and obey hir said Comptrollar, his collectouris or chalmerlanis, of the victuales or money assignit to hir Majesteis hous and for sustentatioun of the Ministerie as said is, nochtwithstanding ony selling maid thairof be hir said Comptrollar to quhatsumevir marchandis, quhilk hir Majestie revokis and annullis be thir presentis; bot that thai answer and obey hir Majesteis Argentier foirsaid of the rentis assignit to the hous and the Ministeris collectouris of thair partis of the thridis, conforme to the said assignatioun in all pointis, certifeing thame and thai do in the contrair, thai salbe compellit to mak dowbill payment.

Apud Dunbar, penultimo Apprilis, anno, etc. lxvii°.

Contramand of the said Act.

The quhilk day, the Quenis Majestie understanding how laitlie at hir Hienes being in Seytoun, hir Hienes wes movit to set furth hir lettres and proclamatioun, inhibitand hir liegis to answer and obey Sir Williame Murray of Tullibardin Knycht, hir Comptrollar of the victuales money and utheris dewiteis of the thridis of benefices, nochtwithstanding ony selling maid thairof, under the pane of dowbill payment, as the lettres direct thairupoun of the dait at Seytoun, the fyft day of Apprile instant proportis; nevirtheles hir Hienes presentlie understandis that the said inhibitioun hes greitlie hinderit the inbringing of the saidis victuale and thridis, and that the sessioun of the yeir and tyme of payment is now present, quhilk being past owir, it wilbe hard and difficiil to get payment of the samyn thaireftir,—understanding weill the nature of the commonis to be mair facillie inhibit to retene thair dewiteis, nor for mony chargeis to pay the samyn. Thairfoir presentlie, be the tennour heirof, relaxis the said inhibitioun simpliciter, and ordanis lettres to be direct to mak publicatioun heirof, and to charge all and sindry personis astrictit and addettit in payment of the saidis thridis and victualis, to pay the samyn to the Comptrollaris collectouris, to the effect that the samyn may be reddelie brocht in be thame, to the furnissing of oure said Soveranis hous, eftir the forme and tennour of the lettres direct to that effect be the Lordis of Counsall and Sessioun at the said Comptrollaris instance of befoir and under the panis contenit in the samyn; quhilk hir Hienes willis to have forder executioun and full effect in all pointis, nochtwithstanding the said inhibitioun presentlie relaxt and dischargeit be hir Majestie as said is.

Apud Edinburgh, vii Maii, anno Domini j^{m}v^{c}lxvii.

Sederunt. Georgius Comes de Huntlie. Adam Episcopus Orchadensis. Alexander Episcopus Candide Case. Clericus Justiciarie. Clericus Registri.

Ministerie of Glasgow.

Anent oure Soverane Ladiis lettres rasit at the instance of the Superintendentis, Ministeris, Eldaris, and Deaconis of the Kirk of God within this realme; makand mentioun, that quhair oure Soverane Ladie, being zealous to have the ministerie sustenit alsweill within burrowis as to landwart throw hir haill realme, hes assignit be the self, and separat, a certane partis of the thridis of benefices to that effect; and als for the releif of the taxatioun and contributioun to be gadderit and upliftit within everie burgh, hes grantit and disponit, to the same effect and purpois, all annuellis, rentis of Alteragis, Chapellaneriis, Obittis, and sic utheris within Burrowis, as ane Act maid be hir Majestie, with avyise of hir Secreit Counsall, thairupoun at mair lenth beris; quhairby it is ordanit, that the Provest Baillies and Counsall of ilk burgh, sall compeir befoir certane Lordis of hir Hienes Secreit Counsall, to heir and se ane taxatioun and contributioun modifiit, set, and imput be thame, or ony sex or fyve nominat thairin, eftir the quantitie of the burgh, for sustentatioun of the ministerie within the samyn. And anent the charge gevin to the Provest, Baillies, and Counsall of the said citie of Glasgow, to compeir be thame selffis or twa of thair nowmer auctorizat with thair commissioun befoir the Lordis nominat in the said Act, or ony fyve or sex of thame, at Edinburgh, or quhair it salhappin thame to be for the tyme, upoun the sext day nixt eftir the charge, to heir and se ane taxatioun or contributioun modifiit, appointit, and set to be yeirlie payit for sustentatioun of the ministerie within the said burgh, eftir the forme and tennour of the said Act; with certificatioun to thame and thai failyeit, the saidis Lordis wald proceid to the making, modificatioun, and imputting of the said taxt and contributioun upoun the said burgh eftir the quantitie thairof, as at mair lenth is contenit in the saidis lettres, executioun and indorsatioun thairof; the saidis Provest, Baillies, and Counsall of the citie of Glasgow foirsaid comperand be James Flemyng and James Boyd, quhais ressonis and allegationis being hard and understand to the saidis Lordis and thai ryplie avysit thairwith.—The Lordis of Secreit Counsall decernis and ordanis the Provest and Baillies of the said citie, to content and pay to thair minister resident within the samyn the soum of four scoir pundis money of this realme of thair awin propir gudis yeirlie in tyme to cum, at twa termis in the yeir, Witsonday and Martimes in wintir, be equall portionis, begynnand the first termis payment at the feist of Witsonday nix to cum in this instant yeir of God j^{m}v^{c} thre scoir sevin yeris, or at the farthest within xx dayis eftir ilk terme, under the pane of rebellioun and putting of thame to the horne; and gif thai failye thairin, to put thame to the horne, or to poind and distrenye thair reddiest gudis and geir thairfoir. And for relief of the saidis Provest and Baillies, that thai imput ane taxatioun indifferentlie upoun

all the inhabitantis of the said citie eftir thair habilitie, and poind and appryise thair reddiest gudis and geir in caise of non payment; and that lettres be direct heirupoun, gif neid be, in forme as efferis; and that the rest of the said ministeris stipend, redaris, and utheris effaris of the kirk be payit of the reddiest of the annuellis of the said burgh disponit be hir Majestie to that use.

Apud Edinburgh, octavo die mensis Maii, anno Domini j^{m}v^{c}lxvii^{o}.

Discharge of Lieutenendriis

The Quenis Majestie, understanding how the troublis occurring in the yeir of God j^{m}v^{c} thre scoir fyve yeris, movit hir Majestie to mak diverse nobill men lieutenentis in sundrie partis of this realm for the mair reddie convening of the subjectis to hir Hienes service, and repressing of all enormiteis. And sen now, praysit be God, hir Majestie is contentit with all hir nobilitie, and na troubill nor insurrectioun standing within hir realme, necessitie requiris nocht that ony under hir Hienes self have power or auctoritie to command the subjectis, utheris nor the Shereffis and utheris ordinar officiaris. And thairfoir hes dischargeit, and be the tennour heirof dischargeis the commissionis of lieutenendry grantit and gevin be hir Hienes to Mathow Erll of Levenax, James Erll Bothwell, Johnne Erll of Atholl, Patrik Lord Lindesay of the Byris, and all utheris the lyke commissionis gevin the yeir abonewrittin or sensyne befoir the dait heirof. And thairfoir ordanis lettres to be direct to mak publicatioun heirof be oppin proclamatioun at the marcat croces of the heid burrowis of this realme, and all utheris places neidfull, and in hir Hienes name and autoritie to command and charge all and sindry hir Majesteis liegis, that nane of thame tak upoun hand to answer or obey ony maner of chargeis or commandimentis to be set furth or direct be the saidis lieutenentis, or ony utheris—the ordinar jugeis and officiaris except—bot onelie sic as salbe maid set furth and direct be hir Majesteis self in hir awin name, or be hir Counsall resident with hir Majestie, under all hieast pane, charge, and offence that thai may commit and inrin aganis hir Hienes in that part.

Apud Edinburgh, xvi Maii, anno, etc. lxvii.

The Archiebischop of Sanctandrois and Lord Oliphant on the Counsell.

The quhilk day, Johnne Archebischope of Sanctandrois and Laurence Lord Oliphant wer chosin and admittit be the Quenis Majestie to be of hir Previe Counsall, and gaif thair ayth as use is.

Apud Edinburgh, xvii Maii, anno, etc. lxvii.

Sederunt. Georgius Comes de Huntly. David Comes de Craufurd. Joannes Dominus Flemyng. Joannes Dominus Hereis. Joannes Archiepiscopus Sanctiandree. Alexander Episcopus Candide Case.

The Lord Boyd on the Counsell.

The quhilk day, Robert Lord Boyd wes chosin and admittit be the Quenis Majestie to be of hir Previe Counsall, and gaif his ayth as use is.

Mr. Thomas Hepburn, Master of Requestis.

The quhilk day, Maistir Thomas Hepburn, persoun of Auldhampstokkis, wes chosin and admittit be the Quenis Majestie to the office of Maister of Requestis, and gaif his ayth for dew using and administratioun thairof.

Apud Edinburgh, xix Maii, anno, etc. lxvii.

Sederunt. Jacobus Dux Orchadensis. Georgius Comes de Huntly. Joannes Archiepiscopus Sanctiandree. Joannes Episcopus Rossensis. Alexander Episcopus Candide Case.

Anent fals hardheidis.

The quhilk day, the Quenis Majestie remembering the greit skayth and detriment of this commoun weill, throw the homebringing of fals corrupt and countirfuttit cunye, namit hardheidis, and uther layit money, within this realme, strekin and forgit within Flanderis and utheris partis beyond sey, nocht onelie traterouslie and avariciouslie be hir awin borne subjectis, bot alswa be Inglismen, indwellaris of the townis of Newcastell and Berwik; quhilkis having dalie and continewall tred with the inhabitantis of the Bordouris and utheris hir Majesteis liegis, deliveris to thame and sendis in this realme the samyn hardheidis and utheris fals and corrupt layit money for victuales and utheris gude and lauchfull marchandices, throw the quhilk greit derth incressis within this realme to the finall decay and subversioun of the commoun weill thairof, gif tymous remeid be nocht provydit; and as be hir Majesteis command certane of her awin borne subjectis laitlie apprehendit as culpabill of the tressonabill cryme foirsaid, hes bene worthelie punissit to the deith according to thair deservingis—sa mon the devysis, practises, and interprysis of strangearis, specialie Inglismen, tending to the lyke fyne, be foirsene and eschewit; quhilk lying sa neir and ewest to this cuntre, hes bene accustumat, and may in this point do grittest skayth and hurt. Thairfoir hir Majestie, with avyise of hir derrest spous, James Duke of Orknay, Erll Bothwell, Lord Halis Creychtoun and Liddisdaill, greit Admirall of this realme, and of the Lordis of hir Secreit Counsall, ordanis lettres to be direct to officiaris of armes, shereffis in that part, chargeing thame to pas to the marcat croces of Edinburgh, Hadingtoun, Dunbar, Dunse, Langtoun, Kelso, Jedburgh, Melrose, Hawik, Selkirk, Peblis, Annand, Lochmaben, Drumfreis, Kircudbrycht, Wigtoun, and all utheris places neidfull, and thair be oppin proclamatioun in hir Hienes name and autoritie command and charge all and sindry hir Majesteis liegis, that nane of thame tak upoun hand to ressave fra ony Inglismen or utheris strangearis, ony of the saidis hardheidis, plakkis, balbeis, or ony uther maner of layit money, in payment for ony victuales gudis or marchandices sauld to the saidis Inglismen or strangearis, or upoun quhatsumevir uther caus and considderatioun, under the pane to be repute and haldin participant and culpabill of the tressonabill cunyeing and hamebringing of the said fals hardheidis, and uther corrupt cunye foirsaid; with certificatioun to the personis quhome with the samyn sal happin to be apprehendit, that in caise thai allege ony Inglismen or uther strangear for thair warrand thairof,—or is nocht abill to find ane sufficient warrand and

dettour indwellar and responsall within this cuntre, quhomefra thai ressavit the samyn,—thay salbe repute, estemit, and demanit as tratouris, and lyke as thai had cunyeit or brocht hame the saidis fals and corrupt cunye thame selffis; and that the Wardanis within the boundis of all the Wardaneriis tak diligent triall and inquisitioun thairupoun, and to that effect hald Court everilk oulk anis, as thai will answer to hir Majestie upoun thair diligence and executioun of thair offices.

Apud Edinburgh, xxi Maii, anno, etc. lxvii.

Sederunt. Jacobus Dux Orchadensis. Georgius Comes de Huntlie. David Comes de Craufurd. Joannes Episcopus Rossensis. Alexander Episcopus Candide Case. Secretarius. Thesaurarius. Clericus Registri. Clericus Justiciarie. Cancellarius Rossensis.

Renunciatio M^cClane.

The quhilk day, in presens of the Lordis of Secreit Counsall, comperit Maistir Lauchlane Makclane and maid fayth that he nevir obtenit licence of oure Soverane Ladie to pas to Rome for purchessing and impetratioun of the Bischoprik of the Ilis, nor na uther benefices pertening to Maistir Johnne Carswell Bischope of the Ilis, nor nevir purchest the said bischoprik, nor the abbacie of Ycolmkill or utheris benefices, in ony tyme bigane. Alwayis, for the mair aboundance, he renuncis ouregevis and dischargeis simpliciter, all rycht tytill interes and clame of rycht quhilk he hes, or can onywayis pretend or clame to the said bischoprik, or utheris the said Maister Johnnes benefices, ratifeand and apprevand the rychttis and titillis maid to the said Maister Johnne of the samyn be thir presentis, and sall nevir vex nor molest the said Maister Johnne in the peciabill brouking and posseding of the said bischoprik and utheris his benefices, move nor intent actioun, pley nor questioun aganis him for the samyn during his lyftyme. Quhairfoir the Quenis Majestie, with avyise of the Lordis of hir Secreit Counsall, suspendis simpliciter the lettres purchest at the Advocattis instance aganis the said Maister Lauchlane Makclane denunceing him rebell and putting him to the horne, in defalt of finding of souertie to underly the law in the Tolbuyth of Edinburgh, upoun the xvii day of Apprile last bipast, for his passing furth of this realme, nocht intimand the caus of his passing to his Ordinar, nor how he maid his fynance, and als be ressoun of his noncomperance the said xvii day; and ordanis ane maser or uther officiar of armes to relax the said Maister Lauchlane fra the proces of horning led upoun him in the said mater; and to gif him the wand of peace, and that lettres be direct heirupoun in dew forme as efferis.

Apud Edinburgh, xxii Maii, anno, etc. lxvii°.

Sederunt. Domini ut in die predicto.

Ordour of the Counsale.

The Quenis Majestie, my Lord Dukis Grace hir Hienes husband, and Lordis of Secreit Counsall, considdering that na thing is mair requirit for

hir Hienes, nor mair convenient to the perfyte government of the effaris of the commoun weill of this realme than a continewall Counsale to be resident with hir Majestie; and on the uther part foirseing how unabill it salbe to the nobilitie and utheris of hir Hienes Counsale alwayis to abyde and continew at Court. Hir Hienes thairfoir, with avyise of hir said derrest husband and Lordis foirsaidis, following the ordour quhilk wes divisit of befoir in the lxii yeir of God, hes dividit the saidis Lordis in quarteris, swa that of the haill yeir thai sall remane and await bot the monethis at Counsale, and that at twa tymes, as followis. That is to say David Erll of Craufurd, George Erle of Erroll, Gilbert Erle of Cassillis, Johnne Bischope of Ross, and Laurence Lord Oliphant, to entir and begin the first day of Junii nixtocum, and to remane and continew quhill the xvi day of Julii thaireftir; James Erll of Mortoun, Andro Erll of Rothes, Alexander Bischop of Galloway, and Johnne Lord Flemyng, to entir and begin the said xvi day of Julii, and to remane and continew quhill the penult day of August; Johnne Archiebischope of Sanctandrois, Archibald Erle of Ergyle, George Erll of Caithnes, and Johnne Lord Hereis, to entir and begin the said penult day of August, and to remane and continew quhill the xv day of October; George Erle of Huntlie Chancellar, Johnne Erll of Atholl, Williame Erle Marschell, and Robert Lord Boyd, to entir and begin the said xv day of October, and to remane and continew quhill the first day of December, upoun the quhilk day the saidis Erllis of Craufurd, Erroll, Cassillis, Bischope of Ross and Lord Oliphant, to entir agane and to remane and continew quhill the xvi day of Januare; and than the saidis Erllis of Mortoun, Rothes, Bischop of Galloway and Lord Flemying, to entir and remane fra the said xvi day of Januare quhill the thrid day of Marche, at the quhilk day that the saidis Archebischope of Sanctandrois, Erllis of Ergile, Caithnes, and Lord Hereis entir and begin, and to continew quhill the xv day of Apprile, and than the saidis Erllis of Huntlie, Atholl, Marschell, and Lord Boyd, to entir and remane quhill the first day of Junii, and swa to begin of new the nixt yeir. Provyding that nochtwithstanding the said divisioun all the Lordis admittit, chosin, and sworne on the Previe Counsall attend thairupoun quhen thai ar at Court, althoch it be nocht thair appointit tyme of service; and for the uther nobill men and Lordis of the Counsall admittit of auld, of quhome sum ar presentlie furth of the realme, sum aigit and nocht abill to nevir travell, and sum utherwayis occupiit in heich and wechtie materis, howsone thair abilitie and commoditie permittis thame to repair to hir Hienes presens, or sic utheris as hir Majestie sall pleis cheise and nominat to be of hir Counsall heireftir, that thai be likewyise appointit and warnit, at quhilk tymes thai sall await and be adjonit to the quarteris abone rehersit as hir Hienes sall think gude, and that the Clerk of Counsall to gif everie ane of the saidis Lordis at the end and outrynning of the tyme quhilk thai remane ane tikket of the day of thair departing, and of the day that thai sould entir and returne agane to Counsall.

Apud Edinburgh, xxiii die mensis Maii, anno Domini j^{m}v^{c}lxvii.

The Quenis Majestie revocatioun of certane lettres.

The Quenis Majestie, calling to mynd the stait of hir Hienes realme at hir arryvall thairin, and the gude successe of hir government continewit unto this present tyme, hes fund be certane experience, that na thing hes sa effectualie nurissit and intertenyt the publict quietnes amangis hir Hienes subjectis, nor contenit thame in hir dew obedience, as the Act, Ordinance, and Proclamatioun maid be hir Majestie at hir said arryvall upoun the xxv day of August the yeir of God j^{m}v^{c}lxi yeris, be the quhilk all men wer commandit to contene thame selffis in quietnes, keip peace and civile societie amangis thame; and that nane privatlie or opinlie sould mak alteratioun or innovatioun of the stait of religioun, or attempt ony thing aganis the forme quhilk hir Hienes fand publictlie and universallie standing at hir Majesteis arryvall in this realme, under the pane of deid, as the said Act at mair lenth proportis. Bot as malicious men and unquiet sprittis can nevir abyde to se lang peace induir in ony realme or commoun welth, sa hes the abone namit gude ordinance not onelie bene oftymes callit in doubt and prevelie impugnit, as that hir Hienes menit na thing les than the observatioun thairof, bot als the publict quietnes hes bene brokin, and diverse troublis hes intervenit, out of quhilkis as Almychty God hes deliverit and preservit hir Majestie frome tyme to tyme, evinsa hes He manifestit hir Hienes meaning and intentioun to hir loving subjectis, and maid the sawaris of sic seditious rumouris to appeir, as thai wer in deid, mere calumpniatouris and untrew spekaris. How oft sic occasionis hes movit and in a maner constrenit hir Majestie to renew the said ordinance and proclamatioun, for satisfactioun of the troublit myndis of thame quhilkis consavit doubt of the saidis rumouris, nane ar ignorant, and superflew it wer to mak ony new repetitioun of the samyn. And how likwyse in hir Hienes last Parliament all penall lawis and statutis, repugnant and prejudiciall to the said forme of religioun and professouris thairof, ar abolischit for thair suirtie, all men knawis, and swa at this present can justlie pretend na caus of mislyking nor discontentatioun. Yit hering sum elest to be tane and consavit be the people in sum partis of the realme, throw certane previe writtingis purchest of hir Majestie, permittand sum personis to use the forme of thair religioun without contraventioun of the said publict Act and ordinance, and that thairthrow the said Act sould be infirmit and callit in doubt—quhilk is nocht of veritie—hir Majestie, with avyise of hir derrest husband, James Duke of Orknay, Erll Bothwell, Lord Halis, Creichtoun, and Liddisdaill, Greit Admirall of this realme, etc., and Lordis of Secreit Counsall, hes thocht expedient and requisit to gif declaratioun of hir mynd. And thairfoir makis manifest and declaris, that in granting and subscriving of ony sic previe writtingis hir Majestie nevir meanit nor meanis the violatioun, prejudice, or derogatioun, of the said publict Act, ordinance, and proclamatioun, and in safar as thai, or ony the lyke to be impetrat heireftir, may appeir repugnant or prejudiciall to the same Act, hir Majestie, with avyise and consent foirsaid, revokis, annullis, and dis-

chargeis thame, decerning thame to be estemit bot as prevat, and to have na fayth in jugement or outwith quhairevir thai be producit; and the first Act, ordinance, and proclamatioun maid at hir Hienes arryvall in this realme, and all utheris maid and past conforme thairto, to have full strenth, force, and effect in tyme to cum, but alteratioun or contradictioun quhatsumevir; and that lettres be direct for publicatioun heirof, in dew forme as efferis.

Apud Edinburgh, xxix Maii, anno, etc. lxvii.

Charg on certane Bordoraris.

Forsamekill as Sir Thomas Ker of Pharnyhirst Knycht, Robert Ker of Wodheid, Sir Thomas Turnbull of Bedroull Knycht, Nicholas Rutherfurd of Hundoley Knycht, Johnne Rutherfurde of Hunthill, Richard Rutherfurd of Edgarstoun, Williame Dowglas of Bonejedburgh, Williame Dowglas of Caveris, wes laitlie chargeit to have comperit personalie befoir oure Soverane Ladie and Lordis of Secreit Counsall at ane certane day bigane, to have gevin thair avyise and counsale, anent the ordouring of the said Middill Marche, and establissing of justice and quietnes thairin, as thai wald answer upoun thair obedience, and under the pane of rebellioun and putting of thame to the horne, quhilk charge thai have wilfullie and contempnandlie dissobeyit; thairfoir ordanis lettres to be direct to charge the saidis personis, yit as of befoir, to compeir personalie befoir hir Majestie and Lordis foirsaidis, upoun the viii day of Junii nixtocum, to gif thair avyise and counsall anent the ordouring of the said Middill Marche, and establissing of justice and quietnes thairin, under the pane of tressoun.

Apud Edinburgh, quarto Junii, anno, etc. lxvii.

The Quenis Majestie declaration upon the brutis.

The Quenis Majestie, considdering and thinking upoun hir awin estait, and the government of this hir Hienes realme, owir the quhilk Almychty God hes placeit hir supreme heid and lauchfull inheritour, and with that, calling to mynd quhat greit alterationis and strange accidentis hes fra tyme to tyme occurit hir Majesteis regnne, bot maist specialie sen hir Hienes arryvall and returning in this realme and taking of the manyment and governament of the effaris thairof on hir awin persoun, quhilkis all, praysit be God, ar happelie quietit and set doun be hir Majestie, God sa weill prospering the werk in hir handis, alsweill to hir awin honour as to the satisfactioun and contentment of all hir gude subjectis, that in all this tyme of hir Majesteis awin presens, sen hir said arryvall, thai have nevir felt the force of foreyn inymeis, bot levit in gude peace, nor yit bene ourthrawin be the auttouris of ony domestik seditionis that hes nocht bene spedelie dantonit and punissit for thair demeritis; and swa thai may justlie compair thair stait in this hir Majesteis regnne to the maist happie tyme that hes occurrit in mannis memorie. Bot as invy is enemy to vertew, and that seditious and unquiet sprittis evir sekis occasioun to interteny troubill and unquietnes, sa can hir Majestie nevir meane sa sinceirlie and uprychtlie, nor nevir direct

hir doingis sa perfytelie, bot in sted of thankfull hartis and gude obedience hir Hienes clemency is commounlie abusit and recompansit with threwartnes and ingratitude; and quhen schö thinkis leist of ony novatioun, evir sum inventioun or uther is brocht in, and the people perswadit to beleif it, as that hir Hienes cair of this commoun weill wer tint, that hir Majestie menit to subvert the lawis, to reject the Counsall and assistance of hir nobilitie, and to handill all thingis without ony discretioun, contrair the ancient custum; bot last, it that is maist grevous and offensive of all, that the helth, preservatioun, suir custody, and governament of hir maist deare and onelie sone the Prince, now in his infancy, wer neglectit be hir Hienes and na sic attendence had thairto as appertenit; and besydis this the malice of sum hes bene sa greit that quhairas hir Hienes, with avyise of hir Counsall, laitlie set out proclamationis, commanding hir subjectis in certane cuntreis of the realme to be in reddines and convene for persute of the rebellious and disobedient subjectis of Liddisdaill be quhome the trew liegis ar havelie oppressit, it hes bene murmurit and put in the heidis of the people that thai forceis wer to be convenit for uther purposis, that nevir enterit in hir Hienes mynd; for in making of the saidis proclamationis hir Majestie had na cullorat meaning, nor na uther purpois in heid, nor is planelie mentionat in the same, as the successe will weill declair. Quhilkis untrew reportis and opprobrious calumpnyis sa neirlie twicheis hir Majestie, that constrenitlie it behuvis hir to gif plane declaratioun of hir mynd and part to all hir gude subjectis, to the effect that thai being certifiit of the veritie may be resolvit of all doubt and secludand errour, may stay thame selffis on the treuth. For first, God knowis hir mynd, schö nevir menit the subversioun of the lawis in na jote bot rather hes mantenit thame; quhat is abill to be objectit that evir hir Majestie tuke on hand, unconsultit be the nobill men, hir Counsall; or in quhat point hes hir Hienes handillit ony maner of thing in the publict effaris by the custum of hir maist nobill progenitouris, men that ar godlie, and hes discretioun may judge, and tyme will manifest it to the haill warld; and for hir derrest sone, of quhome sall hir Majestie be cairfull, gif schö neglect him that is sa deir to hir, on quhais gude successe her speciall joy consistis, and without quhome hir Majestie could nevir think her self in gude estait bot comfortles all the dayis of hir lyfe; and yit seing men now thus bissy in his infancy to ground the occasioun of thair particulariteis on his persoun, it may be thocht quhat thai wald pretend gif he wer of mair mature aige. Bot as God hes hard hir prayeris and the prayeris of hir people, in granting sic happie yssue and successioun of hir body, eftir hir lyff to posses and enjoy this kingdome, sa sall hir Majesteis moderlie affectioun towartis him appeir evidentlie that na thing requisite for his nutriture, custody, intertenement, and preservatioun salbe foryot, and with that he committit to sic governance as utheris Princes of this realme in thair infancy hes bene accustumat in tymes bigane, that in proces of tyme the actouris of sic fals reportis, owther in previe or patent, sall worthelie accuse thame selffis of untreuth and find thame selffis frustrat of thair inventionis; and

hir Majesteis cair towart hir realme, and naturall luff and entiere affectioun towart hir said derrest sone, sall manifest the self, as it is in effect, to the haill warld; and that lettres be direct for publicatioun heirof, in dew forme as efferis.

Apud Edinburgh, xxviii Maii, anno, etc. lxvii.

Proclamation aganis Liddisdale.

The Quenis Majestie, considdering the greit skayth and detriment quhilk the trew and gude subjectis of this realme, dwelland in the cuntreis ewest the Bourdouris, sustenis be the oppin reiffis, thift, and oppressioun of the rebellious and dissobedient personis, inhabitantis of Liddisdaill; quhilkis attour the odious crymes abonespecifiit, dalie murtheris and slayis the trew liegis in the defence of thair awin gudis in sic sort that diverse gude and proffittabill landis are laid waist, and mony honest houshaldis constrenit to skaill thair houssis, that the invasioun of the saidis rebellis is almaist na les hurtfull to the commoun weill nor gif it wer oppin weir with foreyn inymeis; and seing the saidis rebellis ourlukit and winkit at be sic as duellis maist ewest to thame, hir Majestie is constrenit to use the force of the Incuntreis for suppressing of the insolence of the saidis rebellious peopill; and thairfoir, with avyise of hir derrest spous, James Duke of Orknay, Erll Bothwell, Lord Halis, Creychtoun, and Liddisdaill, Greit Admirall of this realme, and Lordis of Secreit Counsall, ordanis lettres to be direct, chargeing all and sindry Erllis, Lordis, Baronis, Frehalderis, Landit men and substantious Yemen duelland within the boundis of the sherefdomes of Forfar, Perth, stewartreis of Stratherne and Menteith beneth the Hielandis, the Sherefdomes of Striviling, Lanark, Clakmannane, Kinross, and Fyff, that thai and ilkane of thame, weill bodin in feir of weir, with xv dayis victuales and provisioun, addres thame to convene and meit oure Soverane Ladie, hir Majesteis derrest husband foirsaid, or Lieutenent, at Melrose, upoun the xv day of Junii nixtocum, and swa to pas furthwart as thai salbe commandit, for invasioun of the saidis rebellis, during the said space of xv dayis, under the pane of tinsall of lyff, landis, and gudis.

Sicklike.

The Quenis Majestie, considdering the greit skayth and detriment quhilk the trew subjectis of this realme dwelland in the cuntreis ewest the Bordouris sustenis be the oppin reiffis, thift, and oppressioun, of the rebellious and dissobedient personis, inhabitantis of Liddisdaill, quhilkis, attour and besydes the odious crymes abonespecifiit, dalie murtheris and slayis the trew liegis in the defence of thair awin gudis, in sic sort that diverse gude and proffitabill landis are laid waist, and mony honest houshalderis constrenit to skaill thair houssis, that the invasioun of the saidis rebellis is almaist na les hurtfull to the commoun weill nor gif it wer oppin weir with foreyn innemeis; and seing the saidis rebellis ourlukit and winkit at be sic as dwellis maist ewest of thame, hir Majestie is constrenit to use the force of the Incuntreis for suppressing of the insolence of the said rebellious peopill. And thairfoir, with avyise of hir derrest spous, James

Duke of Orknay, Erll Bothuile, Lord Halis, Creychtoun, and Liddisdaill, Greit Admirall of this realme, and Lordis of Secreit Counsall, ordanis lettres to be direct, chargeing all and sindry Erllis, Baronis, Frehaldaris, Landit men and substantious Yemen, men dwelland within the boundis of the sherefdomes of Linlithquow, Edinburgh principall and within the constabularie of Hadington and Berwik, that thai and ilkane of tham prepair thameselffis and be in reddines with sex dayis victualis and provisioun, to meit hir Majestie, hir said husband or Lieutenent, at tyme and place as thai salbe adverteist, weill bodin in feir of weir upoun sex houris warning, to pas furthwart and attend as thai salbe commandit, for invasioun of the saidis rebellis during the said space of sex dayis, under the pane of tinsall of lyff, landis, and gudis.

At Edinburgh, the sext day of Junii, the yeir of God j^{m}v^{c}lxvii yeris.

Anent oure Soverane Ladiis lettres rasit at the instance of Henrie Nauchtie, burges of Kirkwall in Orknay, upoun James Weddirburne, Baillie of the burgh of Dunde; makand mentioun that quhair he, with his complices, laitlie upoun twysday the xx day of maii last bipast, under silence of nycht, bodin in feir of weir, to the nowmer of xx personis or thairby, come on burd upoun the said Henreis schip, callit the Sampsoun—quhair schö wes liand at ane anker befoir Bruchtie, cum fra Hull in Ingland upoun hir viage—and tuke his haill kippage furth of the samyn, to the nowmer of sex men and ane boy, and put thame in captivitie in diverse houssis; and swa be force and way of deid, be maner of plane piracie, hes reft, spulyeit, and takin fra the said Henrie his said haill schip of the birth of thre scoir tunnis or thairby, with hir laidnyng of clayth, and salt being thairin to the nowmer of twa hundrith bollis or thairby, togidder with hir ankeris, saillis, cabillis, towis, and all uther hir necessaris, and the complenaris awin clething, money and victualing, at thair awin handis without ony authoritie or titill of rycht; and inlikewyise, tuke fra his skippar the haill cocquettis of thre viages that he has maid with his said schip, togidder with the contract and warrand of the bying of the same; and as yit withhaldis the same, and will mak the said complenar na restitutioun thairof, nor of the dampnageis sustenit be him thairthrow, without the said James Weddirburne be compellit. Bot to cullour this his piracie, he now allegeis that the said complenaris schip is ane piratt, quhilk gif it be trew, he salbe fugitive fra na law, bot it is notour and weill kend that he is ane pover young man laubourand and travelland sair for his leving, and hes travellit in the same schip continewalie sen yule wes ane yeir; and eftir that he had sayit hir lang for hyir, findand hir commodious for his trade, he coft hir in the moneth of Julii a yeir syne or thairby, and had hir all this last wintir in Zeitland, with victuallis careit out of Abirdene, and barterit the same with fische and oyle, quhilk he careit to Hull in Ingland; and now laitlie is returnit without ony maner of artaillierie or ony uther thing that

Nauchtie. Weddirburne.

may favour of piracie; and hes led all his lyff without suspitioun thairof, as is notour to the haill marchandis of this realme; and will refuise the jugement of na honest marchand in Scotland. Quhairfoir the said Henrie hes desyrit in consideratioun of this his caus, and that he is heirthrow put to uttir heirschip and povertie, being ane young man, having na uther thing to leif upoun bot his travell and laubouris, to caus and compell the said James Weddirburne to rander and restoir agane to him his schip, gudis, geir, and writtingis foirsaidis, als guid as thai wer the tyme he spuilyeit the samyn, togidder with the coistis, dampnageis, and interessis sustenit be him thairthrow, as at mair lenth is contenit in the supplicatioun gevin in be the said Henrie to the Quenis Majestie and Lordis of hir Secreit Counsall thairupoun. And anent the charge gevin to the said James Weddirburne to compeir befoir hir Hienes and Counsale foirsaid this day, to answer to the said supplicatioun and complaint, and sic utheris thingis as sould be inquirit of him at his cuming, under the pane of rebellioun and putting of him to the horne, with certificatioun to him and he failyeit, he sould be denunceit rebell and put to the horne; and als anent the charge gevin to the Provest and Baillies of Dunde, to mak perfyte inventour of the schip and gudis abone mentionat, and retene and keip the samyn in thair handis suirlie under arreistment, ay and quhill thai ressave new command of hir Majestie and Previe Counsale, lyke as at mair lenth is contenit in the saidis lettres, executioun, and indorsatioun thairof.—The said Henrie Nauchtane comperand personalie, the said James Weddirburne being oftymes callit and nocht comperand be him nor na utheris in his name havand his power; and the saidis Provest and Baillies comperand be Richert Blyth, ane of the Baillies of the said Burgh, the rychttis, ressonis, and allegationis of the partiis comperand being hard, sene, and understand to the saidis Lordis, and thai ryplie avysit thairwith; the Lordis of Secreit Counsall decernis and ordanis lettres to be direct, to denunce the said James Weddirburne oure Soverane Ladiis rebell, and put him to the horne, and to escheit and inbring all his movabill gudis to oure Soveranis use for his contemptioun, becaus he wes chargeit in maner abonewrittin and dissobeyit; and als to charge the saidis Provest and Baillies of Dunde, to rander and restoir agane to the said Henrie his said schip gudis and geir, als gude as thai wer the tyme of thair intromissioun with the samyn, with all utheris his gudis quhilkis ar within thair burgh and jurisdictioun, within xxiiii houris nixt eftir the charge, under the pane of rebellioun and putting of thame to the horne; reservand alwayis actioun to the said Henrie aganis the said James and his complices quhatsumevir, for the remanent gudis allegeit spulyeit and takin fra him be thame, and for his coistis, skaythis, interessis, and dampnageis that he hes sustenit heirthrow in thair defalt.

We, of the nobilitie and Counsall, dois yow to witt; Forsamekle as the Quenis Majesteis maist nobill persoun is and hes bene detenit in captivitie and thraldome be a lang space bigane, quhairthrow hir Hienes is nowther abill to governe hir realme and subjectis be the avyise of the nobilitie and subjectis thairof, nor yit to tak tryall of that maist cruell and abhominabill murthour committit upoun hir lait husband oure Soverane, Henrie Stewart of gude memorie; in respect of the quhilkis this haill realme of Scotland is sklanderous and abhominabill to all nationis, and the exempill of the misdeidis and attemptattis—committit alsweill aganis our Soverane Ladiis maist nobill persoun, as in the persoun of umquhile our Soverane Lord murtherit—remaning as yit unpunissit and na apperance of remedie to be had nor provydit thairunto, gevis occasioun to the subjectis of this realme, and oppynnis ane wyndo unto thame to perpetrat and commit maist haynous offences and crymes aganis utheris, swa that in effect na persoun within this realme takkis thocht quhat unhappy deid he sall tak upoun hand; quhilk with continewatioun of tyme apperis to grow to sic misordour, that na man of quhatsumevir qualitie he be of, salbe assurit to leif according to justice. We, thairfoir, of the Nobilitie, having ane speciall cair of the deliverance of our Soveranes maist nobill persoun now detenit in thraldome, and foirseing the maist miserabill stait of this Commoun Weill quhairintill presentlie all maner of corruptioun and vyce aboundis, being maist desyrous as of oure dewitie appertenith that all inconvenientis quhairupoun danger may insew or follow to be takin away,—swa that the subjectis of this realme, alsweill Lordis, Burgessis, and Baronis as the communitie, may leif in tranquillitie and repoise to thair confort and eise—hes, upoun the necessitie of the caussis foirsaidis, assemblit oure selffis togidder in ferme purpois and deliberatioun—to deliver oure said Soveranis maist nobill persoun out of bondage and captivitie, to try the maist cruell and abhominabill murthour of lait committit upoun oure umquhile Soverane Henrie Stewart of gude memorie, to caus justice be ministrat equalie to all the subjectis of this commoun weill, and to purge this realme of the infamy and sklander quhairwith as yit it remanis brutit amangis all nationis; quhilkis we think ar groundit upoun sic foundament and zeill that all the subjectis of this realme aucht and will spend thair lyffis and gudis for furthsetting and procuring of the same. Quhairfoir, we command and charge all and sindrie subjectis and inhabitantis, of quhat estait or conditioun sa evir thai be of, and specialie the burgessis and inhabitantis of this burgh of Edinburgh, to assist, tak aufald and plane part with us, in the furtherance to deliver the Quenis maist nobill persoun furth of thraldome, and to preserve the Princes maist gratious persone frome all sic as wald invaid him, and to try and purge this commoun weill of the maist cruell and abhominabill murthour of his umquhile fader. Attour, we command and charge the Lordis of Sessioun, Commissaris, and utheris, ministeris of justice, to sit, proceid, and minister justice according to the lawis of this realme, nochtwithstanding ony tumult or brute quhilk may arryise in the menetyme of this interpryise, with certificatioun to all and

Proclamation.

sindrie sic as salbe fund in the contrair of thir procedingis, that thai salbe repute and haldin as faultouris and plane doaris of this maist cruell murthour foirsaid, as of the revesing and detentioun of the Quenis Majesteis persoun, and invadouris of the Princes body; and thairfoir salbe puneist as maist notorious tratouris to the deid. The quhilk to do, we commit to you, conjunctlie and severalie, oure full power be thir our lettres, subscrivit with oure handis at the Cannogait, the xi day of Junii 1567.

Apud Edinburgh, duodecimo die mensis Junii, anno Domini millesimo quingentesimo sexagesimo septimo.

Proclamation. The quhilk day, the Lordis of Secreit Counsale and Nobilitie, understanding that James Erll Bothuile put violent handis in oure Soverane Ladiis maist nobill persoun, upoun the xxiiii day of Apprile last bipast, and thaireftir wardit hir Hienes in the Castell of Dunbar, quhilk he had in keping, and be a lang space thaireftir convoyit hir Majestie invironned with men of weir and sic freindis and kynnismen of his as wald do for him evir, in sic places quhair he had maist dominioun and power, hir Grace beand destitute of all counsale and servandis; into the quhilk tyme the said Erll seducit be unlesum wayis oure said Soverane to ane unhonest mariage with himself, quhilk fra the begynning is null and of nane effect, for sindrie caussis knawin alsweill to utheris nationis and realmis as to the inhabitantis of this commoun weill; and als expres contrair the law of God and trew religioun professit within this realme, quhilk thai ar in mynd to manteine to the uttirmest point of thair lyff. Attour, the saidis Lordis and nobilitie ar assuredlie informit, that the same James Erll Bothuile, for to bring the mariage betuix oure said Soverane Ladie and him till effect, wes the principall authour, devysar, and instrument of the cruell and maist abhominabill murthour committit upoun umquhile oure Soverane Lord King Henry Stewart, of gude memorie; quhilk apperis to be of veritie, becaus that the said James Erll Bothuile being mariit and conjunit with ane wyff the tyme of the murthour foirsaid, hes sensyne, and specialie quhen he had the Quenis Majesteis persoun into his handis, causit ane pretendit divorcement to be maid and wranguslie led,—all the proces and sentences thairof begun, endit, and sentence gevin thairintill within twa dayis; quhilk confirmis the informatioun gevin to the saidis Lordis and nobilitie of the said Erll Bothuile. Als he nocht being content and satisfiit with the cruell murthour done upoun oure said Soverane King Henrie Stewart, revesing, warding, and seduceing of the Quenis Majestie to ane unlauchfull mariage, and halding hir yit in captivitie—is now, as the saidis Lordis and nobilitie ar informit, makand sum assembleis of men, tyiscing and perswading thame to assist him,—quhilk we luke can be for na uther effect bot to commit the lyke murthour upoun the sone as wes upoun the fader. To the quhilkis, the saidis Lordis and nobilitie myndis with all thair forceis to resist, and als to deliver the Quenis Grace furth of maist

miserabill bondage foirsaid. Thairfoir ordanis ane maser or officiar of armes to pas to the marcat croces of Edinburgh, Perth, Dunde, Sanctandrois, Striviling, Glasgow, and utheris places neidfull, and thair be oppin proclamatioun, command and charge all and sindrie liegis of this realme, alsweill to burgh as to land, that thai be in reddines upoun thre houris warning, to pas furthwartis with the saidis Lordis of Secreit Counsall and nobilitie, to deliver the Quenis Majestie maist nobill persoun furth of captivitie and presoun; and upoun the said Erll Bothuile, and all his complices that sall assist unto him, to bring thame to underly the lawis of this realme for the cruell murthour of our said umquhile Soverane King Henrie, revesing and detening of the Quenis Majesteis persoun, and to obviat and resist to this maist wickit interpryise, quhilk we ar informit he intendis to do aganis the Prince. Attour, we command all and sindry sic as will nocht assist to the revenge of the premissis, and to deliver the Quenis Grace persoun furth of thraldome, togidder with all sic as ar assistaris, complices, or partakaris with the said Erll Bothuile,—that thai, within four houris eftir the publicatioun of this present Act, void and red thame selffis furth of this burgh of Edinburgh, with certificatioun in caise thai failye, that thai salbe repute and haldin as ennemeis, and puneist in body and gudis as efferis.

Quhairas the rycht nobill and excellent Prince, umquhile King Henrie, the Quenis Majesteis oure Soveranis lait husband, being in his ludgeing schamefullie and tressonabillie murtherit, the fame thairof wes in sic sort blawin abrede and dispersit in all realmis, and amangis all Cristiane nationis, that this cuntre wes abhorrit and vilipendit, the nobilitie and haill people na uther wayis estemit bot as thai had bene all participant of sa unworthie and horribill a murthour, that nane of ony of the Scottis natioun, thoch he wer nevir sa innocent, wes abill for schame, in ony foreyn cuntre, to schaw his face; and that nocht without occasioun, seing na maner of just tryall tane, nor menit to be takin, for the cryme, albeit in all this tyme the murtheraris wer weill enewch knawin; for quha could be ignorant thairof and nocht cleirlie se it, behalding the proceding of the Erll Bothuile the tyme of the attempting of that odious fact and continewalie sensyne—that wer sufficient althocht thair wer na uther pruif. Wes nocht the triall be him impedit and delayit; and the speciall authouris of the murthour being requirit to be wardit quhill the tryall of thair caus—howbeit the petitioun wes maist ressonabill and nocht repugnant to the lawis—yit could na part thairof be grantit, becaus the cheif murtherare being present maid the stay; and than what ane inordinat proces wes deduceit to clenge and acquite him of that horrible deid all men persavit, quhen nowther the accustumat circumstances in caussis of tressoun nor the ordinar forme of justice wes observit, bot quhatsoevir the fader and freindis of the innocent Prince saikleslie murtherit justlie desyrit, the contrair wes alwayis done. The said Erll, the day that he chosit to thoill law, being accumpaneit with a greit power, alsweill of wageit men of weir as utheris that nane sould

First Band.

CENTRAL

compeir to persew him. Quhen swa this cruell murthour wes committit and justice smorit and planelie abusit, nevir ceissit he of his wickit and inordinat pretense, bot ekand mischeif to mischeif, tressonabillie without feir of God or reverence of his native Prince, quhill on a forthocht conspiracie he umbeset hir Majesteis way, tuke and reveist hir maist nobill persoun, and led the samyn with him to Dunbar Castell, thair detening hir presonar and captive; and in the menetyme procurit dowbill sentences of divorce to be pronunceit betuix him and his lauchfull wyff, groundit on the cause of his awin turpitude; and to mak his pretendit mariage—quhilk schortlie followit—the mair valiabill, usit the ordour of divorce alsweill be the ordinar commissaris as in forme and maner of the Roman kirk, declarand that he wes of na kynd of religioun, as the same unlauchfull mariage, suddanlie thaireftir accomplishit, on bayth the fassionis did manifest and testifie; albeit nowther of Goddis law, nor na law maid be man of quhatsoevir religioun, mycht the same mariage lesumlie have bene contractit. Quhilk being endit, and he still proceding frome a kynd of iniquitie to ane uther, his cruell and ambitious nature being knawin, and how na nobill man nor uther durst resort to hir Majestie to speik with hir, or procure thair lesum besines without suspitioun, bot be him and in his audience—hir chalmer durris being continewalie watchit with men of weir. We, althocht to lait, begouth to considder the estait; and to tak heid to oure selffis; bot specialie to the preservatioun of the lyff of the fadirles Prince, the onelie sone and rychttous air apparent of oure Soverane—hir Hienes schamefull thraldome and bondage with the said Erll; and with that foirsaw the greit danger quhilk the Prince stude in quhen as the murtherare of his fader, the revesar of the Quenis Majestie his modir, wes cled with the principall strenthis of the realme, and garnissit with a gard of wagit men of weir; and how in all appearance he mycht unproviditlie oppres and distroy that innocent infant as he had done his fader, and swa be tyranne and cruell deidis at last to usurpe the royall croun and supreme governament of this realme. At last, in the feir and name of God, and in the lauchfull obedience of our Soverane, movit and constrenit be the just occasionis abonewrittin, we have takin armes, to revenge the said horribill and cruell murthour, upoun the said Erll Bothuile and utheris authouris and devysaris thairof, to deliver our said Soverane furth of his handis, and of the ignominy, schame, and sklander, quhilk being in thraldome with him schö hes sustenit under pretense of the said unlauchfull mariage; to preserve the lyff of oure native Prince; and finalie, to se justice equalie ministrat to all the liegis of this realme. Quhairfoir we, the Erllis, Lordis, Baronis, Commissaris of Burrowis, and utheris unsubscrivand, be thir presentis, bindis and obleissis us, and everie ane of us to utheris, that we sall tak plane trew and uprycht part togidder, with oure kin freindis servandis and all that will do for us in the avancement furthsetting and persute of the foirsaid querrell, with oure lyffis landis and gudis at oure uttirmest; and sall nevir schrink thairfra, nor leif the samyn for ony maner of occasioun that can or is abill to occur, quhill the authouris of the said cruell

murthour and revesing be condignelie punissit, the said unlauchfull mariage dissolvit and annullit, oure Soverane relevit of the thraldome bondage and ignominy quhilk schö hes sustenit and underlyis be the said Erllis occasioun, the persoun of the innocent Prince reposit in full suirtie and relevit of the eminent danger quhilk now he standis in, and finalie, justice restorit and uprychtlie ministrat to all the liegis and subjectis of this realme. The quhilk to do and faythfullie performe we promit, as we will answer to Almychty God upoun oure honouris, trewth, and fidelitie, as we ar nobill men, and luffis the honour of oure native cuntre; quhairin, as God forbid, gif we failye in ony point, we ar content to sustene the spott of perjurie, infamy, and perpetuall untrewth, and to be comptit culpabill of the abone namyt crymes, and ennemeis and betrayeris of oure native cuntre for evir. In witnes of the quhilk thing, we have subscrivit thir presentis with oure handis as followis, at Edinburgh, the sextene day of Junii, the zeir of God j^{m}v^{c} thre scoir sevin yeris.

Apud Edinburgh, xxi die mensis Junii, anno Domini j^{m}v^{c}lxvii^{o}.

Sederunt. Jacobus Comes de Mortoun. Joannes Comes de Atholl. Alexander Comes de Glencarne. Joannes Comes de Mar. Alexander Dominus Hume. Willelmus Dominus Ruthven. Robertus Dominus Sempill. Edwardus Dominus Sanquhair. Andreas Dominus Uchiltre.

Charge that the Lordis of Sessioun repair to Edinburgh.

Forsamekill as the Lordis of Secreit Counsall, and utheris of the nobilitie and faythfull subjectis of this realme, having assemblit thame selffis for seking revenge of the cruell and horribill murthour of umquhill the King, the Quenis Majesteis lait husband; for the taking of hir body and mareing of hir unlauchfullie, being in thraldome and captivitie—bayth aganis the law of God and man; and to restoir and estableis justice universallie throw the haill realme. And sen the administratioun of justice is ane of the principall thingis quhairon thair cair consistis; ordanis ane herauld or uther officiar of armes, to pas to the marcat croce of Edinburgh, and all utheris places neidfull, and thair be oppin proclamatioun command and requeir all and sindrie the Lordis of Counsall and Sessioun, the Advocattis, Procuratouris, Scrybis, and memberis of the Sessioun, that thai repair and resort to the burgh of Edinburgh, and proceid in the administratioun of justice to all the liegis of this realme; quhilk the Lordis assuris thame thai may sauflie do without feir, danger, or impediment, to be schawin or done to thame in word or deid; certifeing thame and thai failye, and absentis thame selffis, thay salbe repute and estemit as partakaris with the authouris of the said murthour and puneist accordinglie; and als to intime and declair to all oure Soveranis liegis, that hes to follow or defend in the Sessioun, that thai resort and repair to the burgh of Edinburgh, to attend upoun thair caussis as thai wilbe servit, and that the Lordis of Sessioun ar sittand for administratioun of justice, certifeing all personis that sauflie

thai may cum, pas and repas at thair plesour, without ony stop or impediment to be schawin to thame in thair cuming, remaning, or departing, in bodiis or gudis.

Apud Edinburgh, xxvi Junii, anno Domini j^{m}v^{c}lxvii.

Sederunt. Domini ut in die predicto.

Charge on Dunbar.

Forsamekill as the Lordis of Secreit Counsall, with diverse of the nobilitie and baronis in cumpany with thame, assemblit for the trying of the maist cruell and tressonabill murthour of the Kingis Grace, lait husband to the Quenis Majestie, committit in the moneth of Februare last bipast,—the saidis Lordis hes, be evident pruif, alsweill of witnessis as writtingis, maid manifest unto thame that James Erll Bothuile wes the principall devysar of the said murthour, and at the actuall doing thairof himself, quhairthrow the saidis Lordis hes persewit him, and yit intendis to persew him and all his complices adherentis and partakeris, with all extremitie for the samyn; as alswa for the revesing of oure Soveranis persoun and maist unlauchfull joyning himself with hir Majestie in pretendit mariage aganis the law of God and the lawis of this realme. And becaus the said James Erll Bothuile wes resset and ressavit in the Castell of Dunbar, as also he intendis to be ressavit heireftir in the samyn, and thairthrow to eschaip punisement for the foirsaid horribill and tressonabill crymes; thairfoir the Lordis foirsaidis ordanis lettres to be direct in oure Soveranis name, to Herauldis, Pursevantis, and utheris Officiaris of Armes, to pas, command, and charge Patrik Quhytlaw of that Ilk Capitane, the Constabill, Keparis, and all utheris personis being in the said Castell of Dunbar, to rander and deliver the samyn with all artaillierie and munitioun being thairin, to the Officiar executor of the saidis lettres and personis being with him in cumpany, within sex houris nixteftir thai be chargeit thairto, under the pane of tressoun; with certificatioun to thame and thai failye thai salbe haldin as tratouris and as culpabill partakaris and manteinaris of the said James Erll Bothuile in the foirsaid horribill and tressonabill crymes, and puneist thairfoir in exempill of utheris, with all regour.

That nane resset the Erl Bothuile.

Forsamekill as the Lordis of Secreit Counsall, and utheris of the nobilitie, baronis, and faythfull subjectis of this realme, persaving the miserabill estait of the commoun weill; how the King, the Quenis Majesteis lait husband, wes horribillie and shamefullie murtherit, na tryall takin thairof, nor punisement execute on the authouris, howbeit thai wer knawin weill aneuch in the sycht of men; hir Hienes awin persoun tressonabillie revessit, and thaireftir joynit with the Erll Bothuile, principall authour of the said cruell murthour, in mariage, althoch maist ungodlie bayth aganis the law of God and man—continewing still in thraldome and bondage, under the yok of that pretendit and unlefull mariage. Thairfoir thai have takin on armes to puneis the authouris of the said cruell murthour and revesing, to preserve the persoun of the innocent infant native Prince of

this realme fra the bludy crueltie of him that slew his fader, and to restoir and estableis justice—abusit in this corrupt tyme, to all the liegis of this realme. And being on the feildis reddie to gif battell to the said Erll and his partakaris, eftir that he had cowartlie refusit singular combat bayth of a Barroun and Gentilman undefamit, and of a Lord and Baroun of Parliament, to quhilkis bayth he had befoir offerit him self, be his cartell and proclamatioun, the place being maist meit and convenient betuix the twa cumpanys; at last he fled and escapit, takand the ignominy on him dew unto the vincust be the law of armes; and nochttheles now thinkis to perswade and entyse sempill and ignorant men to assist him in his defence unpuneist for the murthour crueltie and utheris wickit enormiteis committit be him, quhilkis with his awin persoun he durst nocht avow and defend. Of the quhilk murthour, now be just tryall tane, he is fund nocht onelie to have bene the inventour and devysar, bot the executor with his awin handis, as his awin servandis, being in cumpany with him at that unworthie deid, hes testifiit. Thairfoir the Lordis of Secreit Counsall ordanis ane Herauld, or uther officiar of armes, to pas to the marcat croce of the burgh of Edinburgh, and all utheris places within this realme neidfull, and thair be oppin proclamatioun to mak publicatioun heirof to all our Soveranis liegis, that nane pretense ignorance of the same, and to command and charge all the saidis liegis, of quhat estait or degre that evir thai be of, that nane of thame tak upoun hand to resset or supple the said Erll, in thair houssis or utherwayis, or support him with men, armour, hors, schippis, boittis, or uther furnissing quhatsumevir, be sey or land, under the pane to be repute haldin and estemit as plane partakaris with him in the said horribill murthour revesing and utheris wickit crymes and enormiteis committit be him, and to be puneist thairfoir as commoun ennemeis of this commoun weill. Attour, quhasaevir will tak the said Erll and bring him to the burgh of Edinburgh to be puneist be justice for his demerittis, sal have for thair reward ane thowsand crownis of the sone.

Personis to be tormentit.

Forsamekill as Williame Blacater, James Edmonstoun, Johnne Blacater, and Mynart Freis, all suspectit of the Kingis murthour, ar takin and apprehendit, the Lordis of Secreit Counsall thairfoir ordanis the saidis personis to be put in the irnis and turmentis, for furthering of the tryall of the veritie, provyding that this caus—being for the trying of a Princes murthour—induce na preparative to utheris personis suspectit of utheris crymes.

Apud Edinburgh, xxviii Junii, anno, etc. lxvi.

Souirtie for Patrik Blacater.

The quhilk day, Capitane Johnne Clerk is becum obleist to entir Patrik Blacater befoir the Lordis of Secreit Counsall, upoun the tent day of Julii nix to cum, under the pane of fyve hundrith pundis.

The copie of the Act of the burgh of Edinburgh:—

Apud Edinburgh, secundo Julii, anno Domini j^{m}v^{c}lxvii^{o}.

Act of Edinburgh. The quhilk day, the Provest, Baillies, Counsall, and Deaconis of the burgh of Edinburgh, being convenit in the counsalhous of the samyn; comperit nobill and mychty lordis, the Lordis Erllis of Mortoun and Atholl, having with thame the maist honorabill and godlie band laitlie maid and subscrivit be thair Lordschippis and utheris of the nobilitie of this realme, berand in effect that thai the saidis Erllis Lordis Baronis and utheris subscrivaris of the said band, for thame selffis, kin, freindis, and all that will do for thame, bindis and obleissis ilkane of thame to utheris, upoun respect of thair dewitie towart thair Soverane, the commoun weill of this thair native cuntre and honour of the same; that thai altogidder as said is, with thair haill force power and freindis, sall persew the cruell murtheraris of the King oure said Soveranis husband to thair uttirmest, seik and procure the dissolutioun of the unlauchfull mariage maid betuix hir Hienes and the Erll Bothuile be all meanis lauchfull; as alswa oure said Soverane to be relevit of the thraldome, bondage, ignominy, and schame quhilk schö hes sustenit and underlyis be the said Erllis occasioun; and the persoun of oure undoutit and innocent Prince reposit to full suirtie and relevit of the eminent danger quhilk now he standis in; and finalie, justice restorit and uprychtlie ministrat to all the liegis and subjectis of this realme. The quhilk maist godlie and honorabill band, in presens of the saidis Provest, Baillies, and Counsall, being red and considderit, thay all, in ane voce, understanding the samyn to be bayth honorabill and godlie, ratifiis and apprevis the samyn, and grantis and consentis and promittis thair assistance and fortificatioun to the saidis Lordis in furthsetting, persewing, and avanceing of the premissis to thair utter power; and for assistance heirof hes requestit and desyrit the rycht honorabill Sir Symon Prestoun of Craigmillar knycht Provest, for thame and in thair names, with the saidis Lordis, to subscrive the said band, quhilk salbe als sufficient as gif thai had subscrivit the samyn with thair proper handis; and for observing heirof, ordanis this present ordinance to be insert and registrat in the Counsale buke of the said burgh, and for the mair suir testificatioun of thair consentis, as said is. Extractum de libro actorum consilii Burgi de Edinburgh, per me Alexandrum Guthre principalem scribam curie dicti Burgi, sub meis signo et subscriptione manualibus.[1] A. Guthrie.

Apud Edinburgh, vii die mensis Julii, anno, etc. j^{m}v^{c}lxvii.

Sederunt. Jacobus Comes de Mortoun. Joannes Comes de Atholl. Joannes Comes de Mar. Alexander Comes de Glencarne. Alexander Dominus Hume. Robertus Dominus Sympill.

Discharge of Scraling comptis. Forsamekill as the Lordis of Secreit Counsall ar informit that James Cokburne of Scraling,—being delatit, suspectit, and callit to underly the law for

[1] See "Extracts from the Records of the Burgh of Edinburgh," 4to, 1875, p. 233.

art and part of the tressonabill murthour of umquhile the King, the Quenis Majesteis lait husband, and revesing of hir maist nobill persoun, and diverse utheris wickit crymes and enormiteis committit be him to the greit sklander and infamy of this realme and all the trew subjectis thairof,—intendis befoir the day quhilk he sould compeir to underly the law, to intromet with hir Majesteis rentis and frutis, alsweill of the propirtie and thridis of benefices, under pretense of ane allegeit commissioun of comptrollarie maid to him the tyme of hir Hienes bondage and schamefull thraldome in the Erll Bothuilis cumpany—quha wes the cheif authour of the said horribill, unworthie murthour and principall revissar of hir Hienes—tending to apply the saidis rentis and frutis to the furnissing and support of the authouris of the said cruell murthour, to the greit skayth and incommoditie of oure Soverane and expres aganis the commoun weill of this realme. Thairfoir ordanis lettres to be direct, chargeing all and sindry liegis and subjectis of this realme, that nane of thame tak upoun hand to answer, obey, or mak payment to the said James Cokburne of Scraling, or ony chalmerlanis or collectouris to be maid and constitute by him, of ony rentis, frutis, or dewiteis quhatsumevir, owther of our Soveranis propirtie, collectorie, thridis of benefices, or utheris proffittis, of ony termis bigane or to cum, under the pane of payment of the samyn owir agane; with certificatioun to thame and thai failye, thai salbe compellit to repay agane all thing quhilk thai deliver to the said James or ony in his name; and forther, salbe repute, haldin, callit, and persewit as art and part with the saidis murtheraris and as favouraris unto thame in thair tressonabill and wikkit deidis, and puneist thairfoir with all regour in exempill of utheris.

Apud Edinburgh, nono Julii, anno j^{m}v^{c}lxvii^{o}.

Sederunt. Domini ut in die predicto.

That nane answer the Erll Boithuill in Orknay or Zetland.

Forsamekill as—eftir the horribill and unworthie murthour of the King, the Quene oure Soveranis lait husband, committit under silence of nycht within his awin ludgeing, be James Erll Bothuill, his complices and partakeris—the said Erll, continewand in his mischeif and wikkitnes, first tressonabillie reveist hir Majesteis maist nobill persoun, and than constranit hir, being in his bondage and thraldome, to contract sic a pretendit and unlauchfull mariage with him as nowther be Goddis law nor mannis law wes tollerabill; quhilk being considderit be the nobilitie and faythfull subjectis of this realme, to quhome alswa the greit danger quhilk the Prince stude in weill apperit, seing the murtherare of his fader aspyrit unto that rowme, and how the said Erll mycht easelie oppres and distroy the Prince as he had done the King his fader; compellit thairfoir be just necessitie, it behuvit the saidis nobilitie and faythfull subjectis to tak armes; and being in the feildis reddie to gif battell to him and his partakaris, he refusit to try his innocency be the law of armes, bayth a Lord of Parliament and a Baroun being reddie to gif him the singular combat,

quhairunto he had bayth be his cartell and proclamatioun offerit himself of befoir, and swa tuke on him the schame and ignominy dew unto the vincust be the said law of armes, and thairby in effect grantit himself culpabillle of the said cruell murthour. Howbeit eftir he had fled and eschapit, he hes withdrawin him self in the north partis of the realme, thinkand to entyise and perswaid ignorant folkis to assist him in his defence fra justice; and amangis utheris the gentilmen and inhabitantis of the cuntre of Orknay, under pretence of ane pretendit heretabill gift, quhilk in oure Soveranis bondage with him he obtenit, of the landis of Orknay and Zeitland, of the quhilkis he intendis to intruse him self in possessioun, albeit he have na sufficient infeftment, sesing, nor uther titill nor rycht thairto; and to uptake the males and dewiteis of the samyn, quhairupoun he may sustene him and his cumpany to eschew fra justice unpuneist for thair demeritis; quhilk is to our Soveranis greit skayth and incommoditie, and expres aganis the commoun weill of this realme. Thairfoir the Lordis of Secreit Counsall ordanis ane Herauld or uther Officiar of Armes to pas to the marcat croce of the burgh of Kirkwall and all utheris places neidfull within the boundis of Orknay and Zeitland, and thair be oppin proclamatioun to command and charge all and sindry oure Soveranis liegis and subjectis quhatsumevir dwelland within the samyn, that thai nor nane of thame tak upoun hand to answer, obey, or mak payment to the said James Erll Bothuill, his factouris, servandis, or ony in his name, of ony males, fermis, or dewiteis quhatsumevir bigane or to cum, nor yit ressave him, his factouris servandis or ony utheris in his name or direct be him, within thair houssis, boittis, schippis; or gif thame meit, drink, hous, herbry; or furneis thame wappynnis or armour; or send or ressave writtingis or messingeris to or fra him; under the pane of tinsall of lyff, landis, and gudis, and to be repute, estemit, and callit as art and part with the said Erll in the said tressonabill murthour, revesing, and utheris crymes and enormiteis committit be him, and to be puneist thairfoir with all regour in exempill of utheris. And als to command and charge all and sindrie inhabitantis within the saidis boundis of Orknay to answer and obey to Gilbert Balfour of Westray, Sheref of the samyn, his Deputtis and Officiaris in the office of Sherefschip of the samyn, and to nane utheris, under the pane foirsaid, and that lettres be direct heirupoun in dew forme as efferis.

Apud Edinburgh, decimo tertio Julii anno Domini j^{m}v^{c}lxvii^{o}.

Sederunt. Jacobus Comes de Mortoun. Joannes Comes de Atholl. Alexander Dominus Hume. Willelmus Dominus Ruthven.

Charge on men of Carraill.

Forsamekill as Thomas Bane, Williame Bowsy, Williame Kay, Robert Arnot, Johnne Reid, and utheris inhabitantis of the burgh of Carraill, hes nocht onelie resset the Erll Bothuillis servandis in prevat maner within the same burgh, bot als hes planelie refusit to deliver the same personis

being apprehendit, bot on a plane and manifest contempt hes furneist thame boittis to convoy thame to and fra Dunbar; declarand thame plane partakeris and favouraris of the said Erll in the tressonabill murthour and utheris crymes and enormiteis committit be him, quhairthrow thai aucht to be persewit as commoun ennemeis. Thairfoir ordanis lettres to be direct to charge the saidis personis, and all utheris inhabitantis of the said burgh quhais names salbe given in bill, to compeir befoir the Lordis of Secreit Counsall personalie, at Edinburgh, upoun the third day nixt eftir the charge, to answer upon the said dissobedience and attemptat, and sic utheris thingis as salbe inquirit of thame at thair cuming, under the pane of rebellioun and putting of thame to the horne. And gif thai failye thairin, the said thrid day being bipast, to denunce thame rebellis and put thame to the horne, and escheit and inbring all thair movabill gudis to oure Soveranis use for thair contemptioun, certifeing thame in caise thai pas to the horne, thai sall incontinent thaireftir be persewit as commoun innemeis with fyre and swerd as plane partakeris with the saidis murtheraris according to justice.

Apud Edinburgh, decimo septimo Julii, anno Domini j^{m}v^{c}lxvii^{o}.

Sederunt. Jacobus Comes de Mortoun. Joannes Comes de Atholl. Alexander Dominus Hume. Edwardus Dominus Sanquhair. Willelmus Dominus Ruthven.

Charge on the Folde of Zetland.

The quhilk day, the Lordis of Secreit Counsall, understanding that Olave Sinclair of Everay, ressaver of the males, frutis, and dewiteis of the lordschip of Zeitland, of the crope and yeir of God j^{m}v^{c} thre scoir sex yeris, hes intromettit and ressavit the samyn, and hes maid na compt, rekning nor payment thairof to oure Soverane Ladiis Comptrollar or his Deputtis. Thairfoir ordanis lettres to be direct chargeing the said Olave to compeir befoir the saidis Lordis and auditouris of the Chekker, at Edinburgh, or quhair it sal happin thame to be for the tyme, and thair to gif compt, rekning, and payment of his intromissioun foirsaid, within twentie dayis nixt efter he be chargeit thairto, under the pane of rebellioun and putting of him to the horne; and gif he failye, the saidis twentie dayis being bipast, to denunce him rebell and put him to the horne.

Apud Edinburgh, xix Julii, anno j^{m}v^{c}lxvii^{o}.

Sederunt. Domini ut in die predicto.

That nane ryde in Ingland.

The Lordis of Secreit Counsall, understanding that eftir thai have on just occasioun puttin to thair handis to seik justice and tak revenge of the cruell and unworthie murthour of the King, the Quenis Majesteis lait husband, proceding still in the prosequutioun of that rychtuous querrell, certane rebellious and dissobedient subjectis, inhabitantis of the Middill Marches of this realme, willing to disturb and hinder the godlie and honest procedingis of the saidis Lordis, ceissis nocht dalie and nychtlie to

ryde in Ingland upoun the Quene of Inglandis subjectis, freindis and confidderattis of this realme, makand heirschippis, spulyeis, reiffis, and thiftis, and finalie pretendand to all thing quhilk may brek the publict peace betuix the realmis, and disturb the prosequutioun of the committaris of the said cruell murthour. Thairfoir ordanis lettres to be direct to command and charge all and sindry personis, inhabitantis of the sherefdome of Roxburgh, alsweill to burgh as to land, that thai nor nane of thame tak upoun hand to ryde, invaid, or persew the subjectis of Ingland, or commit reiffis or spulyeis upoun thame or thair gudis, under the pane to be repute haldin and persewit, as plane partakeris with the authouris of the said cruell and unworthie murthour, and as brekaris and disturbaris of the publict peace, and commoun ennemeis of this realme; and to be callit thairfoir be ordour of justice, and persewit be fyre and sword in exempill of all utheris to favour sic wickit murtheraris and brek the publict peace in tyme cuming.

Apud Edinburgh, xxi Julii anno etc. lxvii.

Sederunt. Domini ut in die predicto.

Inhibition on the Bischop of Murray.

Forsamekill as eftir the horribill and unworthie murthour of umquhill the King, oure Soveranis lait husband, committit under silence of nycht, within his awin ludgeing, be James Erll Bothuile, his complices and partakaris, the said Erll continewand in his mischevious wickitnes eftir he had alsua tressonabillie reveist hir Majesteis maist nobill persoun and led hir captive to Dunbar, constrenit hir, being in his bondage and thraldome, to contract sic ane ungodlie and pretendit mariage with him as nowther Goddis law nor mannis law could permit. Quhilk being consideritt be the nobilitie and faythfull subjectis of this realme, with the danger quhilk the Prince, the onelie sone and rychtuous air apparent of oure Soverane, stude in, quhen as the murtherare of his fader had aspyrit unto that rowme, that easelie mycht distroy and owirthraw that innocent Infant as he had done his fader; compellit thairfoir be just necessitie, it behuvit thame to tak armes to puneis and revenge the said schamefull murthour quhairwith this haill realme and liegis thairof wer sklanderit and defamit, to releve oure said Soveranis persoun furth of the bondage and ignominy, quhilk with the said Erll under the pretence of the said unlauchfull mariage schö sustenit, to preserve and defend the Prince fra the bludie crueltie of him that slew his fader, and finalie, to restoir and estableis justice universallie in this troublit commoun weill, abusit in the corrupt tyme of the said Erllis usurpit governament; and being on the fieldis reddie to gif battell to him and all that wald manteine his wrangus and ungodlie querrell, he uttirlie refusit to defend his innocency be singular combat according to the law of armes,—a Lord of Parliament and a Barroun and Gentilman undefamit offerand to mainteine the accusatioun aganis him in presens of bayth the cumpanyis, quhairunto be his cartell and proclamatioun set out of befoir he had offerit and proclamit himself to be reddie, in full effect,—

thairby takand on him the schame and ignominy dew unto the vincust be the said law of armes, and grantand himself thairby culpabill of the said cruell and unworthie murthour. Sen the quhilk tyme being chargeit to underly the law thairfoir, in defalt of finding souertie, he is ordourlie denunceit oure Soveranis rebell and put to the horne, and nevirtheles is defendit, resset, suppliit, fortifiit, and mantenit in his rebellioun and tressonabill deidis fra justice, be Patrik Bischope of Murray, within his hous of Spynie, and in diverse utheris partis of Murray, to the incourageing of the said Erll and sic utheris murtheraris in thair wickitnes, to the sklander and defamatioun of this haill natioun, to the apperand danger of the Princes persoun, and to the greit perturbatioun of this commoun weill; quhairthrow the said Bischope declaris himself in effect plane partaker with the said Erll in his tressonabill deidis, and thairfoir aucht to be persewit with him as ane ennemy of this commoun weill, and his gudis and rentis of his benefices arreistit unto the triall of his cause. Ordanis thairfoir lettres to be direct, chargeing all and sindry fewaris, firmoraris, takkismen, tennentis, occupiaris, and utheris quhatsumevir astrictit in payment of ony males, fermis, teindis, rentis, or utheris quhatsumevir pertening to the bischoprik of Murray and abbacie of Scone, that nane of thame tak upoun hand to answer, obey, or mak payment to the said Bischope or ony in his name, of the samyn, under the pane to be repute and haldin art and part with the said Erll in the said murthour, and favouraris of him in his rebellioun, certifeing thame further that thai salbe compellit to pay the samyn owir agane; and als to fense and arreist all and sindrie the saidis males, fermis, teindis, rentis, fischeingis, and utheris dewiteis quhatsumevir pertening to the said bischoprik and abbacie, to remane in the tenentis handis unpayit in ony wyise to the said Bischope, or ony in his name, quhill he be tryit be ordour of justice for the crymes abonewrittin, and the said arreistment dewlie lowsit.

Apud Edinburgh, xxv Julii anno Domini j^{m}v^{c}lxvii^{o}.

Presenting of the Quenis Majesteis Commissionis.

The quhilk day, in presens of the Lordis of Secreit Counsall and utheris of the Nobilitie, Prelattis, Baronis, and Commissaris of Burrowis convenit within the Tolbuyth of Edinburgh, comperit Patrik Lord Lindesay of the Byris and presentit the commissioun underwrittin subscrivit be the Quenis Majestie, oure Soverane Ladie, under hir Previe Seill, desyrand the same to be opinlie red, of the quhilk the tennour followis:—

Marie, be the grace of God, Quene of Scottis, to all and sindry our Jugeis and Ministeris of Law, Liegis, and Subdittis quhome it efferis quhais knawlege thir oure lettres sal to cum greting: Forsamekill as sen our arryvall and returning within oure realme, We—willing the commoun commoditie, welth, proffeit, and quietnes thairof, liegis and subjectis of the samyn—haif employit oure body, haill sences, and forceis to governe the same in sic sort that oure royall and honorabill estait mycht stand continew with us and our posteritie, and our loving and kynd liegis mycht enjoy the quietnes

of trew subjectis; in travelling quhairin, nocht onelie is oure body spreit and sences sa vexit, brokin, and unquietit, that langar we ar nocht of habilitie be ony maner to induir sa greit and tollerabill panis and travellis quhairwith we ar altogidder weryit; bot als greit commotionis and troublis be sindry occasionis in the menetyme hes insewit thairin to oure greit greif. And seing it hes bene the plesour of the eternall God, of his kyndlie luf mercie and gudnes to grant unto us of our awin persoun ane sone quha in caise be the hand of God we be veseit, will, and rycht and of equitie man and aucht, to succeid to us and to the governament of oure realme; and knawing that all creaturis ar subject to that immutabill decreit of the Eternall, and to randir and gif up this lyff temporall, the hour and tyme quhairof is maist uncertane. And in caise be deceis we be takin fra this lyff during the tyme of his minoritie, it may be doubtit greitlie that resistence and troubill may be maid to oure said sone, now native Prince of this oure realme, in his tendir yeris, being swa destitute of us, to succeid to that rowme and kingdome quhilk maist justlie of all lawis appertenis to him. Quhilk inconvenient be Goddis help and gude providence we meane to prevent in sic maner that it sall nocht ly in the power of ony unnaturall subjectis to resist Goddis ordinance in that behalf; and understanding that na thing erthlie is mair joyus and happie to us nor to se oure said derast sone in oure awin lyftyme peciabillie placeit in that rowme and honorabill estait quhairto he justlie aucht and man succeid to; We, of the moderlie affectioun we beir towart oure said onelie sone, have renunceit and dimittit, and be thir our lettres frelie of oure awin motive will, renunceis, and dimittis the governament, gyding, and governing, of this our realme of Scotland, liegis and subdittis thairof, and all intromissioun and dispositioun of ony casualiteis, propirtie, benfices, offices, and all thingis appertening, or heirtofoir is knawin or heireftir sal happin to appertene thairto in favouris of oure said dearest sone, to that effect that he may be plantit, placeit, and possessit thairin; use and exerce all thingis belanging thairto as native King and Prince of the samyn; and siclike as we or ony of our predecessouris, Kingis of Scotland, hes done in ony tyme bipast. Attour, that this our dimissioun may tak the mair solempne effect, and that nane pretend ignorance thairof, we have gevin, grantit, and committit, and be thir oure lettres gevis, grantis, and committis oure commissioun, full fre and plane power, generall and speciall command, to oure traist cousingis Patrik Lord Lindesay of the Byris and Williame Lord Ruthven, and to ilk ane of thame, conjunctlie and severalie, to compeir befoir sa mony of the Nobilitie, Clergy, Burgessis, and uther peopill of oure realme as sal happin to be assemblit to that effect in our burgh of Striviling, or ony uther place or places quhair it salbe thocht maist convenient, at ony day or dayis; and thair publictlie in thair presence for us, in oure name, and upoun oure behalf, dimit and renunce the governament, gyding, and rewling of this oure realme, liegis, and subjectis thairof, all intromissioun with the propirtie, casualitie, or utheris thingis appertening to us thairby, and all rycht and titill that we had, hes, or may have be ony

maner of way thairto, in favouris of oure said sone, to that effect that he may be inaugurat, placeit, and rowmit thairin, and the Croun Royall deliverit to him, and he obeyit in all thingis concerning the samyn, as we or oure predecessouris hes bene in tymes bipast; and likewyise, be thir presentis, gevis, grantis, and committis full, fre, and plane power—to our rycht traist cousingis, James Erll of Mortoun Lord of Dalkeyth, Johnne Erll of Atholl, etc., Johnne Erll of Mar, Alexander Erll of Glencarne, Williame Erll of Menteith, Johnne Maister of Grahame, Alexander Lord Hume, Adame Bischope of Orknay, the Provestis of Dunde, Montroise—or ony of thame, to ressave the said renunciatioun and dismissioun in favouris of oure said sone; and eftir the ressaving thairof, to plant, place, and inaugurat him in the kingdome; and with all ceremoneis requisit to put the Croun Royall upoun his heid in signe and takin of the establissing of him thairin; and in his name to mak and gif to the saidis Nobilitie, Clergy, Burgessis, and utheris oure liegis, his princelie and kinglie ayth, detfullie and lauchfullie as efferis; and to ressave thair aythis for dew and lauchfull homage and obedience to be maid be thame to him in all tymes cuming as becummis subjectis to thair native King and Prince; and generallie all and sindry uther thingis to do, exerce, and use that for suir performance and accomplisement heirof may or can be done, ferme and stabill haldand and for to hald all and quhatsumevir thingis in our name in the premissis ledis to be done in the word and faythfull promeis of ane Prince; and ordanis thir our lettres, gif neid beis, to be publeist at all places neidfull. Subscrivit with oure hand, and gevin under oure Previe Seill, at Lochlevin, the xxiiii day of July, and of oure regnne the twenty fyve yeir, 1567.

Quhilkis being opinlie red, the saidis Lordis of Secreit Counsall, utheris of the nobilitie, prelattis, baronis, and commissaris of burrowis convenit as said is, is gladlie aggreit thairto, allowit and apprevit the samyn, and in verificatioun and testificatioun thairof, subscrivit the obligatioun following:

Second Band.

We, quhilkis hes subscrivit this underwritten band, understanding that the Quenis Majestie, willing na thing mair ernistlie nor that in hir liftyme hir maist deare sone, oure native Prince, be placeit and inaugurat in the kingdome of this his native cuntre and realme, and be obeyit as King be us and utheris his subjectis; and being weryit of the greit panis and travellis takin be hir in hir governament, hes be hir lettres dimittit and renunceit and gevin power thairby to dimit and renunce the said governament of this realme, lieges and subjectis thairof, in favouris of hir said sone, our native Prince, to the effect he may be inaugurat thairin, the Croun Royall put upoun his heid, and be obeyit in all thingis as King and native Prince thairof, as hir Hienes lettres past thairupoun beris. Thairfoir, and becaus it is ane of the maist happy thingis that can cum to ony peopill or cuntre to be governit and rewlit be thair awin native King, we and ilkane of us quhilkis hes subscrivit thir presentis, be the tennour heirof promittis, bindis, and obleissis us faythfullie, to convene and assembill oure selffis at

the burgh of Striveling, or ony uther place to be appointit, to the effect foirsaid, and thair concur, assist, and fortifie oure said native King and Prince to the establissing, planting, and placeing of him in his Kingdome, and putting of the Croun Royall thairof upoun his heid; and in the feir of oure God, being instructit and techeit be his and all uther lawis, sall gif oure ayth of fidelitie for homage and detfull obedience to be maid be us to him during his Graces liftyme, as it becumis faythfull, Cristiane, and trew subjectis to do to thair native King and Prince. And forder, that we sall, with all oure strenth and forceis, promote, concur, fortifie, and assist to the promotioun and establissing of him in his kingdome and governament, as becumis faythfull and trew subjectis to thair Prince; and to resist all sic as wald oppone thame thairto, or mak ony troubill or impediment to him thairin; and sall do all uther thingis that becumis faythfull and Cristiane subjectis to do thair native King and Prince. In witnes of the quhilk thing we have subscrivit thir presentis with oure handis, at Edinburgh, the day of , the yeir of God j^{m}v^{c} thre scoir sevin yeris.

The Nobilmen, Baronis, and utheris undersubscrivand, in this present assemblie of the Kirk of God, hes aggreit and condiscendit to the articles eftir following, at Edinburgh, the xxv day of July, the yeir of God j^{m}v^{c}lxvii yeris.

Articles of the Kirk.

In the first, forsamekill as thair wes ane Parliament holdin in this realme befoir the Quenis Majesteis arryvall in the samyn, be the estaittis convenit for the tyme auctorizit with hir Hienes awin power and commissioun; in quhilk Parliament it wes concludit that the religioun of Jesus Cryst, than universallie ressavit within this realme, sould be universallie establissit and approvit within the samyn, and all papistrie, with the Papis usurpit jurisdictioun, all ydolatrie, and in speciall the blasphemous mess, to be abolissit and simpliciter put away, as the Actis maid thairupoun proportis. Quhilkis Actis, togidder with the Quenis Majesteis power to hald the same Parliament, the Nobilmen, Baronis, and utheris undersubscrivand, willis to be extractit and put in full executioun as ane publict law, and the transgressouris thairof to be puneist according to the same throuchout the haill Realme without exceptioun. Quhilk Parliament, in all thingis concerning the religioun of Cryst, thai sall defend and manteine at thair uttirmest in the first Parliament quhilk salbe haldin, and all uther tymes and occasionis convenit.

Item, that the Act alreddie maid towartis the thridis of benefices within this realme, principallie for sustentatioun of the ministerie, may be dewlie put in executioun according to the ordour of the buik of the appointment of ministeris stipendis, alsweill for thame that ar to be appointit as for thame alreddie placeit, and that the ministeris be first dewlie answerit and sufficientlie sustenit of the same to the releif of thair present necessitie, ay and quhill ane perfyte ordour may be tane and establissit towart the

full distributioun of the patrimony of the Kirk, according to Goddis word, and that alswa the ordinance maid be the Quenis Majestie and hir Counsall towart the small benefices quhilkis hes vakit sen the dait of the said ordinance, as concerning thame that sal happin heireftir to waik; and siclyke the Act maid towart the Annuellis, Obittis, and Alteragis of Burrowis.

Item, howsone ane lauchfull Parliament may be had, or that the occasioun may utherwayis justlie serve, the Nobill men, Baronis, and utheris of the Kirk undersubscrivand, sall laubour and preis at thair uttirmest, that the faythfull kirk of Jesus Cryst, professit within this realme, salbe put in full libertie of the patrimony of the Kirk, according to the buke of God and the ordour and practize of the primative kirk; and that na thing sall pas in Parliament unto the tyme the materis of the kirk foirsaid be first considderit, approvit, and establissit; and in the menetyme the professouris undersubscrivand, consentis and offeris to reforme thame selffis according to the buik, quhilk thai sall put in practize, and the refusaris and contravenaris to be secludit fra the bosum of the Kirk; and mairower that in the said nixt Parliament, or utherwayis at the first occasioun, ordour salbe takin for the ease of the pover laubouraris of the ground towart the payment of thair teindis in ressonabill maner, and how the samyn sall nocht be set ower thair heidis to utheris without thair awin avyse and consent.

Item, that nane be permittit nor admittit heireftir to have charge of Scottis Collageis or Universiteis, or yit privatlie or publictlie to instruct the youtheid, bot sic as being tryit be the Superintendentis and Visitouris of the kirkis, salbe fund sound and abill in doctrine and admittit be thame to thair chargeis.

Item, that all vyces, crymes, and offences, committit aganis Goddis law, may be severlie punissit according to the word of God; and quhair lauis presentlie ar appointit for the said punisement, and jugeis alswa to that effect, that the punisement and executioun be maid thairupoun as efferis; and quhair nowther law nor jugeis ar appointit for sic crymes as aucht to be punissit be the law of God, that in the first Parliament the samyn jugeis be appointit and lawis establissit as God commandis in his word.

Item, sen that the horribill murthour of the King, the Quenis Majesteis husband, is swa odious nocht onelie befoir God, bot alsua to the haill warld, with continewall infame and schame to this realme gif this same murthour sall nocht be punissit accordinglie; thairfoir the Nobill men, Baronis, and utheris of the Kirk undersubscrivand, sall with all thair force strenth and power, concur, assist, and tak plane part togidder, to further and manteine the punisement of the said murthour on all and quhatsumevir personis that salbe fund giltie of the same, seing the plaig of God sall nocht depart frome the cuntre or toun quhair innocent blude is sched, befoir the same salbe clengeit be schedding of the blude of the offendaris.

Item, sen it hes plesit Almychty God, of his mercie, to gif ane native

Prince to this cuntre, apparent to be oure Soverane, to the end he be nocht cruellie and schamefullie murtherit as the King his fader wes, the Nobilitie, Baronis, and utheris undersubscrivand sall assist, manteine, and defend the Prince aganis all that wald violentlie oppres him or do injurie.

Item, that all Kingis, Princes, and Magistrattis, quhilkis heireftir in ony tyme to cum sal happin to regnne and beir rwle ower the Realme, at thair first entres, befoir thai be crownit and inaugurat, sall mak thair faythfull liegue and promeis to the trew kirk of God, that thai sall manteine, defend, and be all lauchfull meanis set furthwart, the trew religioun of Jesus Christ, presentlie professit and establissit within this realme, evin as thai ar obleist and astrictit in the law of God, alsweill in Deuteronome as in the ellevint chaptour of the secund buke of the Kingis, and as thai craif obedience of thair subjectis, swa the band and contract to be mutuall and reciprocous, in all tymes cuming, betuix the Prince and God and his faythfull, and alsua his faythfull people according to the Word of God.

Item, that the Prince quhome God hes gevin us, alsweill for his suirtie as gude educatioun, salbe committit to wyise, ancient, godlie, and lernit men of the realme, to be brocht up within the same, in the feir of God and vertew, quhairby he may sua proffeit in his youth, that quhen he sall cum to his yeris of minoritie, he may be abill to discharge him self sufficientlie of that honour and place quhairunto he salbe callit, and prove that gude King, quhilk with all thair hartis thai wishe him to be.

Item, the Nobilitie, Baronis, and utheris of the Kirk undersubscrivand, in the presens of God hes faythfullie promeist to convene thame selffis togidder with thair power and forceis, and thair to rute out, distroy, and allutirlie subvert all monumentis of ydolatre, and namelie the odious and blasphemous mess, and thaireftir to go fordwart throuchout this haill realme, to all and sindrie places quhairsoevir ydolatre is fosterit, hantit, or manteinit, and chieflie quhair mess is said, to execute the reformatioun foirsaid, without exceptioun of place or persoun; and sall to the uttirmest of thair power remove all ydolataris and utheris that ar nocht admittit to the ministerie of the kirk from all functioun thairof, alsweill prevat as publict, that thai hindir nocht the ministerie ony maner of way in thair vocatioun; and in the place of the premissis, sall set up and estableis the trew religioun of Jesus Chryst throuchout this haill realme, be planting of Superintendentis, Ministeris, and utheris neidfull memberis of the Kirk, sen the rest of the Lordis sall pas throuch the haill cuntre to this effect; and alswa sall proceid to the punisement of the idolataris according to the lawis thairupoun pronunceit; and siclike sall puneis and caus be punissit all uther vyces that presentlie aboundis within this realme, quhilkis Goddis law and the civile lawis of the realme commandis to be puneissit, and cheiflie the murthour of the King laitlie committit; and in lyke maner promeissis faythfullie to reforme the Scolis, Collegis, and Universiteis throuchout this haill realme, and to expell and remove the ydolataris

that hes chargis thairof, and utheris quha as yit hes nocht jonit thameselffis to the trew Kirk of Christ, and plant faythfull instructaris in thair rowmes, to the end that the youtheid be nocht infectit be poysonit doctrine at the begynning, quhilk eftirwart can nocht be weill removit away.

Apud Striviling, xxix die mensis Julii, anno Domini millesimo quingentesimo sexagesimo septimo.

Process of the Kingis Majesteis coronation.

The quhilk day, in presens of nobill and mychty lordis, James Erll of Mortoun lord of Dalkeyth, Johnne Erll of Atholl lord of Balvany, Alexander Erll of Glencarne lord of Kilmawris, Johnne Erll of Mar lord Erskin, Williame Erll of Menteith, Johnne Maister of Grahame, Alexander Lord Hume, Patrik Lord Lindesay of the Byris, Edward Lord Sanquhair, Robert Lord Sempill, Johnne Lord Invermeyth, Andro Lord Uchiltre, James Lord of Sanct Johnnes, Adame Bischope of Orknay, Robert Commendatare of Dunfermling, Maister Robert Richertsoun Commendatare of Sanct Marie Ile Thesaurare, Williame Murray of Tullibardin knycht Comptrollar, Williame Maitland of Lethingtoun youngar Secretare, Sir Johnne Bellenden of Auchnowle knycht Clerk of Justiciarie, Johnne Erskin of Dun Provost of Montroise, Maister James Halieburtoun Provest of Dunde,—and diverse of the Nobilitie Spritualitie and Commissaris of burrowis convenit for coronatioun of the rycht excellent Prince James, be the grace of God Prince and Stewart of Scotland;—comperit Arthour Hammiltoun of Mirretoun Procuratour specialie constitute be Johnne Archiebishope of Sanctandrois and Gawin Commendatare of Kilwynning, Commissaris lauchfullie constitute be ane nobill and mychty Prince James Duke of Chestellarault, in all his honest and lefull besines during his remaning furth of this realme, as at lenth is contenit in his commissioun under his seill and subscriptioun manuall, of the dait the ferd day of August, the yeir of God, j^{m}v^{c}lxvi yeris, and in the saidis lettres of procuratorie of the dait at Hammiltoun the xxviii day of Julii instant, subscrivit as apperit with the handis of the saidis Archebischope and Commendatare. And thair the said Arthour, procuratour foirsaid, in name and behalf of the said Duke of Chestellarault, protestit that quhatsumevir thing is done or to be done towart the coronatioun of the said maist excellent Prince; quhat actis, consentis, constitutionis beis maid thairupoun, sould on na wayis prejuge or be hurtfull to the said nobill and mychty Duke of Chestellarault, and the remanent of the Quenis Majestie of Scotlandis royall blude, lauchfullie discendit in thair titill and successioun of the said croun quhen evir it sall pleis God be ony just rycht to call thame thairto mair nor the said coronatioun had nevir bene done; and thairupoun askit instrumentis and documentis of us connotaris publict undersubscrivand; this wes done in the counsall hald within the Castell of Striviling, day, yeir, and place abonewrittin.

The same day, within the parroche kirk of Striveling, convenit the nobill and mychty Lordis underwrittin: thay ar to say, James Erll of Mortoun

lord of Dalkeyth, Johnne Erll of Atholl lord of Balvany, Alexander Erll of Glencarne lord of Kilmawris, Johnne Erll of Mar lord Erskin, Williame Erll of Menteith, Johnne Maister of Grahame, Alexander Lord Hume, Patrik Lord Lindesay of the Byris, Williame Lord Ruthven, Edward Lord Creichtoun of Sanquhair, Robert Lord Sempill, Johnne Lord Invermeyth, Andro Lord Uchiltre, James Lord Sanct Johnnes of Torphechin, Adame Bischope of Orknay, Robert Commendatare of Dunfermling, James Commendatare of Sanct Colmis Inche, Adame Commendatare of Cambuskynneth, Johnne Commendatare of Dryburgh and Inchmahomo, Alexander Commendatare of Culross, Robert Minister of Failfurd, Maister Robert Richertsoun Commendatare of Sanct Marie Ile Thesaurare, Sir Williame Murray of Tulibardin knycht Comptrollar, Williame Maitland of Lethingtoun youngar Secretare, Sir Johnne Bellenden of Auchnowle knycht Clerk of Justiciarie, Maister Johnne Prestoun and Nicholl Udert Commissaris of the burgh of Edinburgh, Johnne Erskin of Dun Provest of Montroise, Maister James Halieburtoun Provest of Dunde, Johnne Stewart of Mynto knycht Provest of Glasgow, Johnne Craigingilt of that Ilk Provest of Striviling, Charles Drummond Provest of Linlythquow, the Commissaris alswa of Air, Irrwing, and diverse utheris of the Nobilitie, Spritualitie, Commissaris of burrowis, and baronis; quhair the rycht heich and illuster Prince James, be the grace of God Prince and Stewart of Scotland, being presentit, in presence of his Grace and the Lordis of the Nobilitie, Spritualitie, Commissaris of Burrowis, and baronis foirsaidis, eftir invocatioun of the name of God, the saidis Patrik Lord Lindesay of the Byris and Williame Lord Ruthven, at command and be vertew of the Quenis Majestie oure Soverane Ladiis lettres subscrivit with hir hand and under hir Previe Seill, comperit, and in hir Majesteis name and upoun hir behalf dimittit and renunceit the governament, gyding and rewling of this realme, liegis, and subjectis thairof, all intromissioun with the propirtie, casualitie, or utheris thingis appertening to hir Hienes thairby, and all rycht and titill that schō had, hes, or may have be ony maner of way thairto, in favouris of the said maist excellent Prince, hir dearest sone, to the effect that he mycht be inaugurat and placeit in this kingdome, the croun royall deliverit to him, and be obeyit in all thingis concerning the same, as hir Majestie or hir predecessouris hes bene in tymes bipast. And in signe and takin thairof, the saidis Lord Lindesay and Ruthven presentit befoir the saidis Lordis of the Nobilitie, Spritualitie, Commissaris of Burrowis, Baronis, and people convenit, the swerd, sceptour, and royall croun of this realme, requiring the saidis lettres and commissioun to be red and insert in the bukis of Secreit Counsall ad perpetuam rei memoriam, as alswa the uther twa commissionis following concerning the regiment of this realme during the minoritie of the said maist excellent Prince, of the quhilkis the tennouris followis:

Marie, be the grace of God, Quene of Scottis, etc., as may appeir in the Act abonewrittin, maid at Edinburgh the xxv day of Julii instant:

Marie, be the grace of God, Quene of Scottis, to all and sindrie our Jugeis and Ministeris of oure lawis, liegis, and subdittis quhome it efferis to quhais knawlege thir oure lettres sal to cum, greting: Forsamekill as eftir lang greit and intollerabill panis and laubouris, takin be us sen oure arryval within oure Realme, for governament thairof, and keping of the liegis of the samyn in quietnes, we have nocht onelie bene vexit in oure spreit, body, and sences thairby, bot als at lenth ar altogidder sa weryit thairof that oure habilitie and strenth of body is nocht habill langar to induir the samyn. Thairfoir and becaus na thing erdlie can be mair confortabill and happie to us in this erth, nor in our liftyme to se our maist deare sone, the native Prince of this our realme, placeit in the kingdome thairof, and the croun royall set on his head; We, of oure awin fre will and speciall motive, haif dimittit and renunceit the governament, gyding, and governing of this our realme of Scotland, liegis and subjectis thairof, in favouris of oure said sone; to that effect that in all tymes heirertir he may peciabillie and quietlie enjoy the samyn without troubill, and be obeyit as native King and Prince of the samyn be the liegis thairof. And undirstanding be ressoun of his tendir youth he is nocht of habilitie in his awin persoun to administrat in his kinglie rowme and governament as equitie requiris quhill that heireftir he cum to the yeris of discretioun; and als knawing the proximitie of blude standing betuix oure said sone and oure dearest brother James Erll of Murray lord Abirnethie, etc., and havand experience of the naturall affectioun and kyndlie luff he hes in all tymes borne and presentlie beris towartis us, honour, and estait of our said sone, of quhais lufe and favour towartis him we can nocht bot assure oure self to quhome na grittar honour, joy, nor felicitie in erth can cum nor to se oure said sone inaugurat in his kingdome, ferit, reverencit, and obeyit be his liegis thairof; in respect quhairof and of the certantie and notorietie of the honestie, habilitie, qualificatioun, and sufficiency of oure said dearest brother to have the cure and regiment of oure said dearest sone, realme, and liegis foirsaidis during oure said sonnis minoritie, we have maid namit appointit constitute, and ordanit, and be thir oure lettres, nemmis appointis makis constitutis and ordanis, oure said dearest brother James Erll of Murray, Regent to oure said dearest Sone, Realme, and Liegis foirsaidis during his minoritie and les aige, and ay and quhill he be of the aige of sevintene yeris compleit, and that oure said dearest brother be callit during the said space Regent to oure said Sone, Realme, and Liegis, swa that oure said Sone eftir the completing of the yeris foirsaidis in his awin persoun may tak upoun him the said governament, and use and exerce all and sindry privilegis, honouris, and utheris immunities that appertenis to the office of ane King alsweill in governing his realme and peopill according to the lawis as in repressing the violence of sic as wald invaid or injustlie resist him or thame or his authoritie ryall; with power to oure said dearest brother James Erll of Murray in name authoritie and behalf of oure said maist deare sone, to ressave resignationis of quhatsumevir landis haldin of him, or yit of offices, castellis, touris, fortalices, mylnis, fischeingis, woddis,

benefices, or pertinentis quhatsumevir; the samyn agane in oure said sonnis name to gif, and deliver signatouris thairupoun, and upoun the giftis of wardis, nonentressis, and relevis of landis, mariages of airis, falland or that sal happin to fall in oure said sonnis handis as superiour thairof; and als upoun presentatioun of landis, benefices, eschetis of gudis, movabill and unmovabill, dettis, and takkis, respectis, remissionis, supersedereis; and upoun the dispositioun of offices vacand, or quhen thai sal happin to vaik; to subscrive and caus be past the seillis; the said office of Regentrie to use and exerce in all thingis privilegis and commoditeis, siclike als frelie and with als greit libertie as ony Regent or Governour to us or oure predecessouris usit in ony tymes bigane; and siclike as gif everie heid privilege and article concerning the said office, wer at lenth expressit and amplifiit in this oure lettres; promissand to hald ferme and stabill in the word and fayth of ane Prince to quhatsumevir thingis oure said dearest brother in the premissis happynnis to do; chargeing heirfoir you, all and sindrie, oure Jugeis and Ministeris of law, liegis, and subdittis foirsaidis, to answer and obey to oure said dearest brother in all and sindrie thingis concerning the said office of Regentrie as ye and ilkane of you will declair you loving subjectis to our said deir sone, and under all pane, charge, and offence that ye and ilkane of you may commit and inrin aganis his Majestie in that part. Subscrivit with oure hand, and gevin under oure Previe Seill, at Lochlevin, the xxiiii day of Julii, and of oure regnne the twentie fyve yeir.

Marie, be the grace of God, Quene of Scottis, to all and sindrie oure Jugeis and Ministeris of law, liegis, and subdittis, quhome it efferis, to quhais knawlege thir oure lettres sall cum greting: Forsamekill as be lang, irksum, and tedious travell takin be us in the governament of this oure Realme and liegis thairof, we ar sa vexit and weryit that oure body, spreit, and sences, ar altogidder becum unabill langar to travell in that rowme; and thairfoir we have dimittit and renunceit the office of governament of this oure Realme and liegis thairof, in favouris of oure maist onelie deir sone, native Prince of this oure realme; and becaus of his tendir youth and inhabilitie to use the said governament in his awin persoun during his minoritie, we have constitute oure dearest brother James Erll of Murray Lord Abernethie, etc., Regent to oure said Sone, Realme, and liegis foirsaidis; and in respect that oure said dearest brother is actualie furth of our realme, and can nocht instantlie be present to accept the said office of Regentrie upoun him, and use and exerce the samyn during oure said dearest sonnis minoritie; We quhill his returning within oure realme, or in caise of his deceise, have maid constitute namit, appointit and ordanit, and be thir oure lettres makis constitutis namis appointis and ordanis, oure traist cousingis and counsalouris, James Duke of Chestellarault Erll of Arrane Lord Hammiltoun, Mathow Erll of Levenax Lord Dernlie, etc., Archibald Erll of Ergyle Lord Campbell and Lorne, etc., Johnne Erll of Atholl, James Erll of

Mortoun, Alexander Erll of Glencarne, and Johnne Erll of Mar, Regentis to oure said dearest Sone, Realme, and liegis; and in caise our said brother James Erll of Murray cum within oure realme, and refuise to accept the said office of Regentrie upoun his singular persoun, we mak, constitute name appoint and ordane, our traist cousingis and counsalouris foirsaidis, and our said brother Regentis of our said deir Sone, Realme, and liegis, gevand grantand and committand to thame, or ony fyve of thame conjunctlie, full power for oure said sone, and in his name to ressave resignationis of landis, mak dispositioun of wardis, nonentressis, relevis, mariagis, benefices, eschetis, offices, and utheris casualiteis and privilegis quhatsumevir concerning the said office, signatouris thairupoun to mak subscrive and caus be past throw the seillis; and to use and exerce the said office of Regentrie in all thingis, privilegis, commoditeis, siclike als frelie and with als greit libertie as ony Regent or Governour to us or oure predecessouris usit the samyn in ony tymes bigane; promittand to hald ferme and stabill in the word and fayth of ane Prince to quhatsumevir thingis oure saidis dearest cousingis dois in the premissis; chargeing heirfoir you all and sindry oure jugeis and ministeris of law, liegis, and subdittis foirsaidis, to answer and obey to oure saidis traist cousingis, Regentis foirsaidis, in all and sindrie thingis, concerning the said office of Regentrie, during oure said dearest sonnis minoritie, and ay and quhill he be of the aige of sevintene yeris compleit, as ye and ilkane of yow will declair you loving subjectis to oure said maist deir sone, your native Prince; and under all pane, charge, and offence, that ye and ilkane of yow may commit and inrin aganis his Majestie in that part. Subscrivit with oure hand, and gevin under oure Previe Seill, at Lochlevin, the xxiiii day of Julij, and of our regnne the xxv yeir.[1]

Quhilkis being opinlie red, the saidis Erllis of Mortoun, Atholl, Glencarne, Mar, Menteith, Maister of Grahame, Lord Hume, Bischope of Orknay,—in name of the thre estaittis presentlie convenit and assemblit, according to

[1] When any of the documents preserved in the Register of the Privy Council have already been printed, in any volumes issued as authentic records, under the authority of the Lord Clerk Register, it has been considered proper not to reprint them in this work, but to refer to the volume where they are already printed. On consideration whether this rule should be applied to the two deeds signed by Queen Mary at Loch Leven—the one called the Deed of Demission, resigning the crown to her son, and empowering her brother, the Earl of Moray, to act as Regent; the other usually called the Commission or Procuratory, appointing a commission to make arrangements in Murray's absence, and providing for the contingency of his refusing the Regency, —it was considered that an exception might be made to the usual rule for these reasons. The documents are of exceptional interest and significance in the history of the period. They fit into and complete the history of the mixed assemblies of the Council, and those who were called to their assistance, at a critical conjuncture of events. It seemed desirable, at the same time, that the opportunity of the method of printing in this abridgment might be taken for rendering the documents, unencumbered by the contractions and obsolete forms of letters deemed suitable for the printing of the Acts of Parliament. It will be seen that the proceedings of the Council place these two documents in their natural place in relation to each other, the Demission being disposed of in the first place, the Commission or Procuratory following it. See Act. Parl. Scot. iii. 11.

the command and tennour of the said first commissioun, ressavit the said renunciatioun and dimissioun, in favouris of the said maist excellent Prince, and eftir the ressaving thairof, the said James Erll of Mortoun, inclinand his body and layand his hand on the buike of God, in name and upoun the behalf of his Grace, solempnitlie maid the ayth and promeis following, to wit

I, James Prince and Stewart of Scotland, promeissis faythfullie in the presence of the Eternall, my God, that I, induring the haill cours of my lyff, sall serve the same Eternall, my God, to the uttirmest of my power, according as He requirit in His moist holie Word, revelit and contenit in the New and Auld Testament; and according to the same Word sall manteine the trew religioun of Jesus Chryst, the precheing of His Holy Word, and dew and rycht ministratioun of His Sacramentis, now resavit and practizit within this realme; and sall abolische and ganestand all fals religioun contrair to the same; and sall rewle the people committit to my charge, according to the will and command of God, revelit in His foirsaid Word, and according to the lovabill lawis and constitutionis resavit in this realme, na wayis repugnant to the said Word of the Eternall, my God; and sall procure to my uttirmest to the Kirk of God and haill Cristiane peopill trew and perfyte peace in all tymes cuming; the rychttis and rentis, with all just privilegis of the Croun of Scotland, I sall preserve and keip unviolat, nather sall I transfer nor alienat the same; I sall forbid and repres all estaittis, and all degreis, reif, oppressioun, and all kynd of wrang; in all jugementis, I sall command and procure that justice and equitie be kepit to all creaturis without exceptioun, as He be mercifull to me and yow that is the Lord and Father of all mercyis; and out of all my landis and impyre I sal be cairfull to ruit out all herecy and ennemeis to the trew wirschip of God, that salbe convict be the trew Kirk of God of the foirsaidis crymes; and thir thingis abonewrittin, I faythfullie affirme be my solempnit ayth.

Eftir the quhilk solempnit ayth and promeis, the saidis Lordis of the Nobilitie, Spiritualitie, and Commissaris of Burrowis, as the Estaittis of the Realme, be the ministratioun of the said reverend fader, Adame Bischop of Orknay, anoyntit the said maist excellent Prince in King of this realme and dominionis thairof, investit and inaugurat his Grace thairin, deliverit in his handis the Swerd and Sceptour, and put the Croun Royall upoun his heid, with all dew reverence, ceremoneis, and circumstances requisit and accustumat; and gaif thair aythis for dew and lauchfull homage and obedience to be maid be thame to him in all tymes cuming, as becumis subjectis to do to thair native King and Prince. Quhairupoun the said Sir Johnne Bellenden Justice Clerk, in name of the saidis estaittis, and als Johnne Knox minister, and Robert Campbell of Kinyeancleuch askit actis, instrumentis, and documentis.

Apud Striveling, penultimo Julii, anno Domini j^{m}v^{c}lxvii.

Sederunt. Jacobus Comes de Mortoun. Joannes Comes de Atholl. Alexander Comes de Glencarne. Joannes Comes de Mar. Alexander Dominus Hume. Wilelmus Dominus Ruthven. Robertus Dominus Sempill. Edwardus Dominus Sanquhar. Andreas Dominus Uchiltre.

Discharge of the Erll of Huntlyis Lieutenendrie.

Forsamekill as it is understand to the Kingis Hienes that thair is ane commissioun of lieutenendrie laitlie proclamit in the north partis of his realme be George Erll of Huntlie, contenand commissioun of justiciarie thairin, with diverse greit privilegis and immuniteis, as at mair lenth is contenit in the said commissioun, quhairby all the liegis and subjectis of the north partis ar chargeit to be in reddines, put thame selffis in armes, and meit the said Erll, at dayis and places as he sall appoint, to pas with him quhair he sall command; and becaus be the occasioun thairof the commoun peace of the realme in thai partis is apperandlie to be troublit, and that uprore, seditioun, and unquietnes may arryise thairthrow. Thairfoir ordanis lettres to be direct to command and charge all and sindry his Hienes liegis and subjectis of this realme, specialie within the boundis foirsaidis, to contene thame selffis in peace and quietnes, ilk ane within thair awin boundis, and that nane of thame put on armour or arryise at command of the said commissioun, with the said Erll or ony uther, without thai have new and speciall commandiment of the Kingis Hienes to that effect, under the pane of tressoun, nochtwithstanding the said commissioun of lieutenendrie, chargeis, or panis past thairupoun; quhilk commissioun of lieutenendrie grantit to the said Erll, with the commissioun of justiciarie contenit thairin and haill effect thairof, his Hienes dischargeis, rescindis, and declaris, cassis, retretis, and decernis of nane effect, and null for evir be thir presentis, togidder with all utheris commissionis of justiciarie grantit to him in ony tymes bigane.

Proclamation of the Kingis auctoritie.

Forsamekill as it hes plesit Almychty God, to call the Kingis Majestie our Soverane Lord unto the royall croun and governament of this realme, be dimissioun of the Quene, his moder, past be hir under hir hand writt and previe seill, as the samyn of the dait the xxiiii day of Julii instant proportis. According to the quhilk, upoun the xxix day of the same moneth, his Hienes is crownit, inaugurat, and establissit in this kingdome, in the presence of the Nobility and Estaits convenit for execution and accomplishment of the Quenis will and commissioun foirsaid, and hes gevin his princelie ayth for dew administratioun and governing of the effaris of this commoun weill and of all his loving and gude subjectis as the custum is. Quhairfoir his Hienes ordanis lettres to be direct to mak publicatioun heirof be oppin proclamatioun at the marcat croces of all burrowis of the realme and utheris places neidfull; and to command and charge all and sindrie the saidis subjectis, that thai and everie ane of thame obey, serve, and reverent his Hienes in all thingis as becumis faythfull and gude subjectis to do unto thair lauchfull and native Prince; and that thai keip publict peace and

tranquillitie amangis thame selffis in the feir of God and debtfull obedience of his Majestie, and study to contene thame and direct thair lyffis and behaviour according to the lawis of this realme, as his Hienes on the uther part promittis to all his subjectis to execute his kinglie office in avanceing of the glorie of God and manteining of vertew and justice, and in punissing and repressing of vyce, enormitie, and all transgressouris of the lawis; certifeing thame that presumis or dois ony thing in the contrair thay salbe estemit as rebellious personis, dissobeyaris and ganestandaris of his authoritie, and extremelie puneist thairfoir, with all regour in exempill of utheris.

Apud Edinburgh, decimo Augusti, anno Domini j^{m}v^{c}lxvii^{o}.

Sederunt. Jocobus Comes de Mortoun. Joannes Comes de Atholl. Alexander Comes de Glencarne. Joannes Comes de Mar. Alexander Dominus Hume. Robertus Dominus Simpill.

Charge on the Skipparis of Dundee.

Forsamekill as James Erll Bothuile, with his complices, declarit rebellis and fugitive fra oure Soverane Lordis lawis, for the tressonabill and unworthie murthour of umquhile the King, his Majesteis dearest fader of worthie memorie, having reft and spulyeit diverse schippis, alsweill pertening to his Hienes awin subjectis, as unto strangearis freindis and confidderattis of this realme, accumpaneit with certane notorious pyrattis, ar past to the sey, mynding to continew in thair reif and piracie bayth aganis the subjectis of this realme and all nationis; and first ar begun at his Majesteis propir landis of Orknay, to the greit sklander of this his haill natioun, and greit hurt of the commoun weill, gif tymous remeid be nocht provydit. Oure Soverane Lord thairfoir hes committit his Hienes full power to his trusty and weillbelovit Sir Williame Murray of Tulibardin knycht Comptrollar, and Sir Williame Kirkcaldy of Grange knycht, to pas, serche, and seik the said Erll and his complices, rebellis, with the utheris notorious pyrattis being in his cumpany, quhairevir thai can be apprehendit, and to persew thame with fyre, swerd, and all uther kynd of hostilitie quhill thai be brocht to oure Soveranis lawis or puneist according to thair deservingis. For the quhilk purpois it is convenient that the said Comptrollar and Lard of Grange be substantiouslie furneist with schippis and accumpaneit with honest, trew, and faythfull skipparis and marinaris. Thairfoir ordanis lettres to be direct to the Provest, Baillies, Counsall and communitie of the burgh of Dunde, and to officiaris of armes, Shereffis in that part, chargeing to pas, command, and charge Thomas Cristell maister of the James, Thomas Davidsoun alswa maister of the same schip, Thomas Kinloch maister of the Prymroise, Johnne Fothringhame awnar of ane part of the Robert, Alexander Strauchauchin maister of the Robert, George Lochmalony awnar of ane part of the Robert, and all maister skipparis and marinaris, indwellaris of the said burgh of Dunde, quhais names the said Comptrollar sall gif in bill, that thai and ilkane of thame addres and prepair thame selffis and thair schippis to pas with him and in his cumpany for executioun of the Kingis Majesteis charge and commandiment abone-

writtin committit to him, and that thai answer and obey to him thairin within sex houris nixt eftir thai be chairgeit thairto, under the pane of deid.

Apud Edinburgh, xi Augusti, anno Domini j^{m}v^{c}lxvii^{o}.

Sederunt. Domini ut in die predicto.

Commission to the Lardis of Tulibardin and Grange.

Forsamekill, as umquhile the King, oure Soverane Lordis fader, being cruellie and horribillie murtherit be James Erll Bothuile, his collegis and partakeris,—and thaireftir the Quene his dearest moder reveist, led captive, and under the pretense of ane unlauchfull mariage joynit with the said Erll,—being ane uther wyffis husband,—to the greit dishonour of hir and of this haill realme and natioun, and to the greit apperand danger of oure Soverane Lordis persoun; seing the murtherare of his fader fund sic hap in ane unhappy interpryise that be murthour of his fader he had purchest a pretendit mariage of his moder, seased hir persoun in his handis accumpaneit with a greit nowmer of feit men of weir, and utheris nauchtie personis, pyrattis, murtheraris,—quha to impetrat impunitie of thair wickit lyff and libertie to do evill, maid thair dependence on him quhais ambitious hart being sa weill knawin, the merk be schot at mycht easelie be espyit, that eftir he had send oure Soverane eftir his fader, to mak the Quene alsua drink of the same coup, and swa be wickit meanis to aspyre unto the croun royall; quhilk he had evir liklie apperance to bring to pas gif God of his inestimabill gudnes had nocht movit the hartis of the nobilitie, and utheris faythfull liegis, be withdrawing of the Quenis persoun furth of his unhappy cumpany, to prevent his wickit pretenssis, and to be instrumentis of oure Soveranis preservatioun. Sen the quhilk tyme the Quene, weryit be the troublis occurrit in hir governament, and for the entiere luff and affectioun schö beris towartis his Hienes, quhome in hir awin tyme schö desyrit to be establissit in this kingdome, dimittit and gaif ower in his favouris hir croun and authoritie, and he, according to the same, at the plesour of Almychty God, is crownit and inaugurat. Quhilk the said Erll Bothuile, and his complices partinaris and collegis persaving—seing thame disappointed of thair maist ungodlie purposes—thay now following thair nature, being denunceit rebellis for thair cruell murthour and utheris wickit crymes and enormiteis,—ar past to the seyis in the schippis of diverse trew men, alsweill subjectis of this realme as strangearis, quhilkis for that purpois thai have reft and awaytakin; accumpaneit alswa with certane personis, notorious and manifest pyrattis, of a lang tyme interteneit and kepit be the said Erll to this end, intending na thing ellis bot with all crueltie to oppres, owirthraw, and distroy all honest and trew marchantis and travellaris, alsweill Scottis as of uther nationis; to reif fra thame thair schippis and gudis; and finallie to use all uther kynd of crueltie, to the greit perturbatioun of this commoun weill, gif tymous remeid be nocht provydit. Thairfoir our Soverane Lord, with avyise of his Regentis and Previe Counsall being assurit of the trewth, fidelitie, and gude will of his rycht trusty and weilbelovit, Sir Williame Murray of Tulibardin knycht Comptrollar, and Sir

Williame Kirkcaldy of Grange knycht, hes gevin grantit and committit, and be the tennour heirof gevis grantis and committis, full power, generall and speciall command, expres bidding and charge, to thame, conjunctlie and severalie, to convene his Hienes liegis in weirlike maner, and to reg furth how mony schippis thai sall think meit and convenient, be thame selffis or sic utheris as thai sall substitute thairto; and to persew and invaid the said Erll Bothuile, his pertineris and collegis, and all personis assistand and takand part with him, be sey or land, quhairevir he can be apprehendit, with fyre, swerd, and all kynd of hostilitie, quhill thai be apprehendit and brocht to justice to be puneist for thair demeritis. And in caise thai or ony of thame sall pas to houssis or strenthis, to assege the samyn, raise fyre, and use all uther sort of weirlyke ingyne for recovering of the saidis houssis and strenthis, and apprehending of the rebellis and pirattis being thairin, or thair assistaris; and gif thai or ony of thame, thair furnisseris, fortifearis, partakeris, and manteinaris salbe hurt, slane, or mutilat, the samyn salbe repute na cryme nor offence to the saidis Sir Willame Murray and Sir Williame Kircaldy, or ather of thame, or utheris hir Majesteis liegis in thair names or cumpany; nor thai sall nocht be callit nor accusit thairfoir criminalie nor civilie be ony maner of way in tyme cuming, nochtwithstanding ony lawis, statutis, or constitutionis quhatsumevir in the contrair, or ony panis contenit thairin. Anent the quhilkis his Hienessis dispenssis be thir presentis, with power alsua to the saidis Sir Williame Murray and Williame Kirkcaldy, or ather of thame, to fense and hald court or courtis of justiciarie at quhatsumevir part or place within Orknay, or boundis of this realme, quhair thai think gude, soyttis to mak be callit, absentis to amerciat, trespassouris to puneis,—and in the samyn court or courtis to put the saidis rebeilis, thair assistaris, pyrattis, or utheris malefactouris apprehendit in thair cumpany, or takand part with thame,—to the knawlege of ane assyise, and as thai be fund culpabill or innocent, to do justice upoun thame conforme to the lawis of this realme; clerkis, serjandis, dempstairs, and all utheris officiaris, and memberis of court neidfull to mak, creat, substitute, and ordane, for the quhilk thai salbe haldin to answer; and generallie, all and sindrie utheris thingis to do that to the executioun of the premissis is necessarlie requirit; ferme and stabill haldand, and for to hald all and quhatsumevir thingis the saidis Sir Williame Murray and Williame Kirkcaldy, thair cumpany, servandis, officiaris, and assistaris, in the premissis lauchfullie ledis to be done; and that lettres be direct to command and charge all and sindry, inhabitantis of the sherefdome of Orknay, Invernes, Cromartie, Narne, Elgin, Fores, Banff, and Abirdene, in generall,—be oppin proclamatioun at the marcat croces of the heid burrowis thairof, or in particular, as the saidis Siris Williame Murray and Williame Kirkcaldy sall desire,—to ryise, concur, and assist with thame or ather of thame, in the persute and invasioun of the said Erll, his complices, collegis, assistaris, and partakeris, als oft as neid beis, and as thai sall gif warning, under the pane of tressoun and tinsall of lyff, landis, and gudis.

Apud Edinburgh, xii Augusti, anno Domini j^{m}v^{c}lxvii^{o}.

Sederunt. Jacobus Comes de Mortoun. Joannes Comes de Atholl. Alexander Comes de Glencarne. Joannes Comes de Mar. Alexander Dominus Hume. Wilelmus Dominus Ruthven. Robertus Dominus Sempill.

Discharge of James Curl, Custumar.

Forsamekill as it is understand to oure Soverane Lord the King, that James Curll hes broukit the office of custumarie of Edinburgh, and intromettit with the greit custumis and utheris casualiteis and dewiteis thairof thir diverse yeris bigane, and hes maid na compt of the samyn in the Chekker thir twa yeris bigane, albeit he hes bene requirit thairto, and yit still intromettis with the saidis greit custumes and haill proffeittis thairof, he nocht being responsall thairfoir, nowther in landis nor gudis; quhairthrow that part of the rent and patrimony of the croun, quhilk particularlie wes wount to be assignit as maist reddie payment to the furnissing of the hous, is abstracted thairfra. Thairfoir ordanis lettres to be direct to maseris and officiaris of armes, to pas to the marcat croce of Edinburgh and utheris places neidfull, and thair be oppin proclamatioun discharge the said James Curll of the said office of custumarie, and of all forther intromissioun thairwith; and likewyise dischargeing all the liegis of all answering or obeying of him thairintill, or yit of payment of ony maner of custumes to him, or receaving of cokquettis fra him or his clerkis; bot be the contrair obey and mak payment of all thingis concerning the said office to James Murray, bruther germane to Sir Williame Murray of Tulybardin Knycht and his substitute, quhill forder ordour be tane, with certificatioun quha failyeis thair gudis salbe eschetit as nocht custumat; and to the said James gif he forder intromettis, he salbe repute ane usurpar to oure Soverane Lordis authoritie and bereaver of his rentis, and salbe callit, accusit, and punissed thairfoir with all regour, in exempill of utheris. Attour, ordanis the custum hous to be deliverit to the said James, with the custum and cokquet stampis and seillis; and the circumscriptioun of that ane syde to be alterit, and in steid of "Maria Dei gratia Regina Scotorum," to be placed "Jacobus Dei gratia Rex Scotorum"; alwayis kepand all the uther substantiallis of the formar seill; and gif neid be lettres of horning to be direct aganis the said James and cokquet clerk for delivering of the said custum hous stampis and seillis within xxiiii houris, with executioun thairof, gif thai failye.

Seybrevis to Tulibardin and Grange.

The Lordis Regentis and Secreit Counsall ordanis the Secretare, and his deputtis keparis of the greit signet, to pas and direct seybrevis in dew and competent forme under the said signet, to Sir Williame Murray of Tulybardin knycht Comptrollar, and Sir Williame Kirkcaldy of Grange knycht, —in oure Soverane Lordis name presentlie direct, for sercheing seking and apprehensioun of the Erll Bothuile and his complices, his Hienes rebellis and at the horne, for the cruell and horribill slauchter of the King oure

Soveranis fader, and that thai pas sa mony of the saidis sey brevis as salbe thocht neidfull, kepand the copy thairof with this present for thair warrand.

Apud Edinburgh, xxii Augusti, anno Domini j^{m}v^{c}lxvii^{o}.

Sederunt. Jacobus Moravie Comes, Dominus Abirnethie, Regni Scotie Regens. Jacobus Comes de Mortoun. Joannes Comes de Atholl. Alexander Comes de Glencarne. Joannes Comes de Mar. Robertus Comes de Buchane. Joannes Magister Grahame. Alexander Dominus Hume. Willelmus Dominus Ruthven. Patricius Dominus Lindesay de Byris. Robertus Dominus Sympill. Willelmus Dominus Borthuik. Robertus Commendatarius de Dunfermling. Willelmus Maitland de Lethingtoun Junior, Secretarius. Magister Robertus Richertsoun, Commendatarius Insule Sancte Marie, Thesaurarius. Joannes Bellenden de Auchnowle, Miles, Clericus Justiciarie. Jacobus Balfour de Pettindreych, Miles, Clericus Registri. Magister Jacobus Makgill de Rankelour-nethir. Advocatus Spens. Cum diversis Baronibus et Commissariis Burgorum.

Acceptation of the Regentrie.

The quhilk day, in presence of the Lordis of Secreit Counsall, Nobilitie, Spiritualitie, Commissaris of Burrowis, and Baronis, convenit within the Tolbuyth of the burgh of Edinburgh, wes presentit ane commissioun, subscrivit be the Quenis Majestie oure Soverane Lordis dearest moder, and under hir Hienes Previe Seill, of the dait at Lochlevin, the xxiiii day of July last bipast, quhilk wes opinlie red, the tennour quhairof followis: Marie, be the grace of God, Quene of Scottis, to all and sindrie oure jugeis and ministeris of oure lawis, liegis and subdittis quhome it efferis to quhais knawlege thir our lettres sal cum: Forsamekill as eftir lang, greit, and intollerabill panis and laubouris takin be us sen oure arryvall, etc., as is expressit at lenth in the Act abonewrittin, maid the xxv day of Julii last bipast.

Eftir the publict reding of the quhilk commissioun, and invocatioun of the name of God, the said nobill and mychty Lord, James Erll of Murray, etc., ressavit and acceptit upoun him the office of Regentrie of oure Soverane Lord, his realme and liegis, and gaif his ayth for debtfull administratioun thairof, eftir the forme and tennour of the said commissioun in all points. Of the quhilk ayth the tennour alswa followis.

I, James Erll of Murray lord Abirnethie, etc., promeissis faythfullie in the presens of the Eternall, my God, that I, induring the haill cours of my lyff, sall serve the sâme Eternall, my God, to the uttirmest of my power, according as he requirit in his maist halie Word, revelit and contenit in the New and Auld Testament, and according to the same Word sall manteine the trew religioun of Jesus Chryst, the precheing of his holy Word, and dew and rycht administratioun of his sacramentis, now ressavit and practizit within this realme; and sall abolische and ganestand all fals religioun contrair to the same; and sall rewle the people committit to my

charge and regiment during the minoritie and les aige of the King my Soverane, according to the will and command of God revelit in his foir-said Word, and according to the lovabill lawis and constitutionis ressavit within this realme, na wayis repugnant to the said Word of the Eternall, my God; and sall procure to my uttirmest to the kirk of God and haill Cristiane people trew and perfyte peace in all tymes cuming; the richtis and rentis, with all just privilegis of the realme of Scotland, I sall preserve and keip unviolat; nather sall I transfer nor alienat the samyn; I sall forbid and repres in all estaittis and all degreis, reiff, oppressioun, and all kynd of wrang; in all jugementis I sall command and procure that justice and equitie be kepit to all creaturis without exceptioun, as he be mercifull to me and you, that is the Lord and Fader of all merceis; and out of this realme of Scotland and impyre thairof I salbe cairfull to rute out all heretykis and ennemeis to the trew worschip of God that salbe convict be the trew kirk of God of the foirsaidis crymes; and thir thingis abone writtin I faythfullie affirme be this my solempnit ayth.[1]

Proclamation of the Regentrie.

Forsamekill as the Quene moder to oure Soverane Lord the King, the tyme of hir subscriptioun of the commissioun and lettres of procuratorie, by the quhilk schö dimittit and renunceit the governament of this realme in the favouris of oure said Soverane Lord, consideranda that be ressoun of his tendir yowth he wes nocht of abilitie of his awin persoun to administrat in his kinglie rowme and governament as wes requisit; and knawing the peax, unitie, and tendirnes of blude, standing betuix him and hir dearest bruther James Erll of Murray lord Abirnethie, of quhais affectioun and kyndlie lufe towartis his Majestie and the commoun weill of this realme schö wes and is maist assurit; in respect quhairof as of the certanty of hir said brotheris sufficiency and gude qualificatioun, hir Grace, be hir lettres alsua subscrivit with hir hand and under hir previe seill of the dait abonewrittin, maid, namit, appointit, constitute, and ordanit him Regent to hir said dearest sone, this realme and liegis thairof, during his minoritie and les aige, and ay and quhill he be of the aige of sevintene yeris compleit; willand that he be callit during the said space Regent to oure Soverane Lord his realme and liegis, with power to hir said derrest bruther in name, authoritie, and behalf of oure said Soverane Lord, to use and exerce the said office of Regentrie in all thingis, privilegis, and commoditeis pertening thairto, siclike als frelie and with als greit libertie as ony Regent or Governour to the Quene or hir predicessouris usit in ony tymes bigane; lyke as at mair lenth is contenit in the commissioun foirsaid past thairupoun, of the dait the xxiiii day of Julii last bipast; quhilk befoir, and in the tyme of oure Soverane Lordis coronatioun solempnizat upoun the xxix day of the said moneth wes red, consideriit, fund gude and expedient, and be the estaittis than convenit, ratifiit, approvit, and condiscendit unto. Sen the quhilk tyme, at the plesour of Almychty God, the said nobill Lord returning to

[1] This oath will be seen to vary slightly from that on p. 542. For instance, instead of "privileges of the Crown" there stand "privileges of the Realm."

this realme, his native cuntre, considdering the Quenis deliberat will and mynd, nocht onelie be hir saidis commissionis bot alswa be hir awin mouth and voce, that he sould accept the said office and charge; for obedience thairof, and movit of the naturall and entiere affectioun quhilk he beris towart the weilfair and preservatioun of oure said Soverane Lord and commoun weill of this realme, hes acceptit and ressavit the charge and office of Regentrie upoun his persoun, and hes gevin his ayth in presens of the Lordis of Secreit Counsall for debtfull administratioun thairof to the plesour of God, oure Soveranis honour, and commoditie of all the gude subjectis of this realme. Thairfoir ordanis lettres to be direct to mak publicatioun heirof be oppin proclamatioun at the marcat croce of Edinburgh, and all utheris marcat croces of the heid burrowis and schyris of this realme and utheris places neidfull, that nane pretend ignorance of the samyn; and to command and charge all and sindry the liegis and subdittis quhatsumevir, to reddelie answer, intend, and obey to the said Lord Regent in his said office and charge of Regentrie during the said space of oure Soverane Lordis minoritie, and to nane utheris, siclike as ony Princes or utheris Governouris and Regentis hes bene obeyit in tymes bigane, under the pane of tressoun; certifeing all and quhatsumevir personis that dois in the contrair, resistand oure Soveranis authoritie and dissobeyand the said Regent, thay salbe repute and haldin as plane ganestandaris of his Majesteis authoritie, and salbe puneist thairfoir with all regour in exempill of utheris.

Apud Edinburgh, xxiii die mensis Augusti anno, etc. lxvii°.

Sederunt. Jacobus Moravie Comes Dominus Abirnethie, regni Scotie Regens. Jacobus Comes de Mortoun. Joannes Comes de Atholl. Alexander Comes de Glencarne. Joannes Comes de Mar. Robertus Comes de Buchane. Joannes Magister de Grahame. Alexander Dominus Hume. Patricius Dominus Lyndesay. Willelmus Dominus Ruthven. Patricius Dominus Gray. Robertus Dominus Sympill. Willelmus Dominus Borthuik. Henricus Dominus Methven. Jacobus Dominus de Torphechin.

Charge to present the seillis.

Forsamekill as it hes plesit Almychty God to call oure Soverane Lord the King to the Croun and Governament of this realme, quhairthrow it is convenient that all the seillis and signettis be maid in his Majesties name and the auld seillis callit in, brokin, and distroyit, that na thingis pas thairby in tyme cuming. Thairfoir my Lord Regent, with avyise of the Lordis of Secreit Counsall, ordanis lettres to be direct to discharge all the auld seillis and signettis within this realme quhairon the name and circumscriptioun of the Quene, oure Soverane Lordis dearest moder, is contenit, and to command and charge that na lettres, charteris, patentis, or uther thing quhatsumevir, pas in tyme cuming, bot under oure Soverane Lordis name and under the seillis contening his name; and als to charge George Erll of Huntly lord Gordoun and Badyenoch, to bring, present, and produce

befoir my said Lord Regent the twa greit seillis being in his handis and keping, that is to say, the ane of silver contening in the circumscriptioun "Maria Dei gratia Regina Scotorum," maid in the tyme that Marie Quene Drowriare of this realme acceptit the regiment thairof, the uther seill of tyn contening in the circumscriptioun "Franciscus et Maria Dei gratia Rex et Regina Scotorum Delphinus et Delphina Viennenses," and all utheris greit seillis gif ony be in the said Erllis handis upoun the aucht day nixt eftir the said Erll be chargeit thairto;[1] Sir Richert Maitland of Lethingtoun knycht to bring, present, and produce the previe seillis quhatsumevir being in his handes; Frances Tennent, Mungo Tennent his sone, and Williame Ogill, the testimoniallis of the greit seill being in thair handis; Sir Johnne Bellenden of Auchnowle knycht, the seillis of justiciarie on the south and north sydes of the wattir of Forth; Maisteris Robert Maitland, Alexander Sym, Edward Henrysoun, and Clement Littill, commissaris of Edinburgh, the seill of the Commissariat of the jurisdictioun of Edinburgh; Thomas Makcartnay kepar of the cocquet seill of Edinburgh, James Curll kepar of the custum stampis of the said burgh; to bring, present, and produce the samyn befoir my said Lord Regent and Counsall, upoun the morne eftir the charge to the effect abonewrittin, under the pane of rebellioun and putting of thame to the horne; or ellis to compeir upoun the dayis particularie abonespecifiit, and allege ane ressonabill caus quhy the samyn sould nocht be done, with certificatioun to thame and thai failye, lettres salbe direct simpliciter to put thame to the horne; and als to charge all the commissaris and clerkis of cocquetis and custumaris within this realme to compeir and rander, present and deliver, all thair commissaris seillis, cocquet seillis, and custum stampis, befoir my said Lord Regent and Counsall upoun the viii day nixteftir the charge to the effect abonespecifiit, under the said pane of rebellioun and putting of thame to the horne; or ellis to compeir and schaw ane caus quhy, with certificatioun and thai failye, lettres salbe direct to put thame to the horne.

Charge on certane Merse Men.

The quhilk day, my Lord Regent, with avyise of the Lordis of Secreit Counsall, ordanis lettres to be direct to charge Johnne Hume of Blacater, David Hume of Weddirburne, Johnne Lumisden of Blanern, George Hume of Aytoun, Patrik Cokburne of Langtoun, Johnne Swyntoun of that Ilk, Alexander Cokburne of that Ilk, Johnne Rentoun of Billy, Patrik Sleich of Cumleche, Williame Chirnsyde of Eistnysbett, Johnne Sinclair of Langfarmacus, Thomas Reidpeth of that Ilk, Johnne Haitlie of Mellestanis, Johnne Hume of Coldenknowis, James Ker of Mersingtoun,—to compeir personalie befoir my said Lord Regent and Lordis of Secreit Counsall foirsaidis upoun the last day of August instant, to gif thair advyise anent the ordouring of justice and establissing of quietnes within the boundis of the Eist Marche, as thai will answer upon thair uttirmest charge and perrell.

[1] The legend round the Great Seal, as represented in Anderson's Diplomata (xxxix) is contracted thus "Franciscus et Maria D. G. R. R. Scotor. Delph. Delphi. Vien." The Viennensis refers to the Viennois on the Rhone, the territorial principality of the eldest son of the King of France.

Apud Edinburgh, xxiiii Augusti anno Domini j^{m}v^{c}lxvii^{o}.

Sederunt. Domini ut in die predicto.

Aiket and Neil Montgomery.

Forsamekill as oure Soverane Lord, his dearest cousing James Erll of Murray lord Abirnethie, Regent to his Hienes, his realme and liegis, and Lordis of Secreit Counsale,—understanding the contentioun, debait, and contraversy standing betuix diverse gentilmen and baronis within the realme, considderis nathing mair propirlie to pertene to thair estait and office nor to tak panis for quieting of sic dissentionis, that all grudge, querrellis, and particularitie removit, the haill subjectis may contene thame selffis in his Majesteis dew obedience. Thairfoir ordanis lettres to be direct to command and charge Williame Cunynghame of Aiket, Alexander Cunynghame of Hill his bruther, Alexander Cunynghame in Irrwing alswa his brother, and Alexander Campbell sone to James Campbell of Stevinsoun, on the ane part; and Neill Montgomery of Langschaw, Johnne Montgomery his bruther, Robert Montgomery in Block, and Robert Symsoun servand to the said Neill, on the uther part; and siclike to charge Johnne Wallace of Cragy and David Blair of Adametoun,—to compeir personalie befoir my said Lord Regent and Lordis of Secreit Counsall, at Edinburgh, or quhair it salhappin thame to be for the tyme, upoun the sext day nixt eftir the charge, to heir and se ane ordour takin for removing of the debaittis, contentionis, and contraversiis standing betuix thame, and quieting of the cuntre, to the plesour of God and our Soveranis dew obedience, under the pane of rebellioun and putting of thame to the horne; with certificatioun to thame and thai failye, lettres salbe direct simpliciter to put thame to the horne.

Apud Edinburgh, xxvi Augusti anno, etc. lxvii^{o}.

Sederunt. Dominus Regens. Jacobus Comes de Mortoun. Jacobus Comes de Atholl. Joannes Comes de Mar. Alexander Dominus Hume. Robertus Dominus Sympill.

Charge on Dunbar.

The quhilk day, my Lord Regent, with avyise of the Lordis of Secreit Counsall, ordanis lettres to be direct to command and charge James Erll Bothuile, Patrik Quhytlaw of that Ilk, Johnne Newtoun youngar of that Ilk, Maister Thomas Hepburne persoun of Auldhampstokis, and all utheris keparis and withhalderis of the castell and fortalice of Dunbar, to rander and deliver the same, with all artaillierie, pulder, and munitionis being thairin, to the officiaris, executouris heirof, within sex houris next eftir the charge, and that the saidis personis remove thame selffis, thair servandis and gudis, furth of the samyn under the pane of tressoun; with certificatioun to thame and thai failye, thai salbe repute, haldin, callit, persewit, and demanyt as traitouris, and the proces of forfaltour salbe led and deliverit aganis thame thairfoir, conforme to the lawis of this realme and Actis of Parliament.

Charge to present Patrik Wilsoun.

Forsamekill as Patrik Wilsoun bruther to Adame Wilsoun in Hadingtoun, ane notorious and declarit rebell and tratour, for art and part of the tressonabill, horribill, and unworthie murthour of umquhile the King oure Soverane Lordis fader, is now resset, ressavit, suppleit, and interteneit be Patrik Quhytlaw of that Ilk, and utheris within the castell of Dunbar, swa that being retenit within that strenth he can nocht be apprehendit and execute be ordour of justice according to his demeritis, without remeid be provydit. Thairfoir ordanis lettres to be direct to command and charge the said Patrik Quhytlaw of that Ilk, and utheris personis, keparis havaris and withhalderis of the said hous, to present and deliver the said Patrik rebell and tratour foirsaid befoir the Justice and his deputtis, within the Tolbuyth of Edinburgh, within xxiiii houris nixt eftir the charge, under the pane to be repute haldin callit persewit and demanyt, as plane partakeris with the said Patrik, in his rebellioun and tressonabill deidis, and to be puneist thairfoir with all regour, in exempill of utheris.

Apud Edinburgh, xxvii Augusti anno Domini j^{m}v^{c}lxvii^{o}.

Sederunt. Domini ut in die predicto.

Discharge of compositionis of tenandriis in Lenox.

Anent the supplicatioun presentit to ane nobill and mychty Lord, James Erll of Murray lord Abirnethie, Regent to our Soverane Lord, his realme and liegis, and Lordis of Secreit Counsall,—be Waltir Buchannane of Drumnakeill, Waltir Makkawlay of Ardincappill, Robert Donelsoun of Colgrane, Johnne Naper of Bellekinraine, Johnne Colquhone of Luss, and Adame Colquhone his bruther, Patrik Naper tutour of Kilmahow, Mungo Lindesay of Bullull, Arthour Darleith of that Ilk, James Nobill of Ardardane, Johnne Lennox of Blarneschogill,—vassellis and frehalderis of the erledome of Levenax,—makand mentioun, that quhair it is nocht unknawin to the Lordis of Secreit Counsall, how that mony and sindry tymes within thir few yeris bigane, thai have bene compellit be thair superiouris and utheris obtenand the nonentres of the superioritie of thair landis and levingis, to pay large and exhorbitant sowmes and compositioun for the samyn, almaist now the just avale thairof; and now laitlie thai halding thair landis following of umquhile Henrie, King of this realme, laitlie murtherit. Throw his deceise it was thocht that thair saidis landis sould be in ward, and thai and everie ane of thame perforce compellit and constrenit to compone and aggre with the Thesaurare for the allegit ward of thair landis following: that is to say, the said Waltir Buchannane, for the fyve pund land of Blairawardis; the said Waltir Makkawlay, the xvi mark land of Arnekapill and Ardardane; the said Johnne Naper, for the fyve pund land of Ballekinrane; the said Robert Donelsoun, for the twentie pund land of Colgrane, Cantestanis, Camroun, Unthirdoname; the said Mongo Lindesay of Bullull, for the xii markland of Bullull, and four mark land of Lytill Tullychewin, and fischeing of the samyn; the said Johnne Colquhone of Luss, and Adame Colquhone his brother, for thair landis; the said Patrik Naper, for the landis of Kilmahew; the said Arthour Darleith, for his fyve pund land thairof; the

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said Jamas Nobill, for the aucht pund land of Ardardane Nobill; and the said Johnne Levenax, for the fyve pund land of Blairschogill; and to pay for everie pund land foirsaid, of compositioun ten markis to oure Soveranis Thesaurare or his donatouris; and compellit the saidis complenaris to find cautioun for payment thairof, albeit nowther of ressoun, equitie, conscience, nor justice, the saidis landis sould be ony wyise in ward throw the deceise foirsaid, be ressoun that oure Soverane Lord the King, now presentlie thair superior of the saidis landis, is fullelie enterit and crownit King, and thairthrow cumin in place of his said umquhile fader, be the quhilk the said ward is takin away; and the saidis complenaris wranguslie and injustlie thairfoir constrenit to compone or mak payment thairfoir, lyke as at mair lenth is contenit in the said supplicatioun. My Lord Regent, with avyise of the Lordis of Secreit Counsall, dischargeis the Thesaurare and donatouris quhatsumevir to the ward landis abonespecifiit, to desist and ceise fra all asking, craving, poinding, troubling, or horning of the saidis complenaris or thair souerteis underwrittin for the sowmes respective follôwing; that is to say, the said Robert Donelsoun of Colgrane and Maister Johnne Abircrumby his souertie, ane hundrith pundis; the said Mongo Lindesay of Bullull and the said Maister Johnne his souertie, four scoir pundis; the said Johnne Colquhone of Luss and Adame Colquhone his brother, four scoir pundis; the said Arthour Darleith and Maistir Johnne Abircrumby his souertie, twentie pundis; the said James Nobill, fourty pundis; the said Johnne Lennox and Robert Abircrumby his souertie, xxxiii ℔. vi ß. viii ₰.; the said Waltir Buchannane and Alexander Naper his souertie, xxxiii ℔. vi ß. viii ₰.; the said Waltir Makcawlay and Robert Abircrumby his souertie, thre scoir ellevin pundis xiii ß. iiij ₰.; the said Johnne Naper and the said Alexander Naper his souertie, xxxiii ℔. vi ß. viii ₰.; the said Johnne Colquhone of Luss and Patrik Naper, fifty pundis for the landis of Kilmahew; extending in the haill to the soum of fyve hundrith fourty ane pundis xiii ß. iiii ₰., dischargeing the saidis Thesaurare and donatouris thairof and of thair offices in that part, togidder with all actis, contractis, and utheris oblissingis quhatsumevir, maid be the saidis personis or thair souerteis thairupoun, suspendand the executioun of all lettres direct or to be direct aganis thame thairfoir simpliciter in tyme cuming.

Charge on the Houssis of Ormistoun and Ancrum.

The quhilk day, my Lord Regent and Lordis of Secreit Counsall ordanis lettres to be direct to command and charge James Ormistoun of that Ilk, and all utheris possessouris, keparis, halderis, and detenaris of the touris and fortalices of Ormistoun and Nethir Ancrum, to rander and deliver the same to the officiaris executouris heirof; and to devoid and red thame selffis, thair servandis, and gudis furth of the samyn, within sex houris nixt eftir thai be chargeit thairto, under the pane of tressoun, with certificatioun to thame and thai failye, thay salbe haldin repute, demanit, and persewit, as tratouris; and the proces of forfaltour salbe led and deduceit aganis thame conforme to the lawis of this realme and Actis of Parliament.

Apud Edinburgh, xxviii Augusti anno Domini j^{m}v^{c}lxvii.

Sederunt. Domini ut in die predicto.

The quhilk day, anent the complaint maid be Johnne Lovell fear of Ballumby, makand mentioun; that quhair he hes oft and diverse tymes lamentit to the Lordis of Secreit Counsall the unnaturall wrangis and injureis that he hes patientlie sustenit of Henry Lovell of Ballumby his fader in birning of his cornis, for the quhilk the said Henrie is at the horne; and now laitlie hes hurt and chaissit away the said Johnnes servandis, cassin out his pover tennentis out of thair houssis, intromettit with his haill nolt and scheip, and haldis the same purposlie, eitand and distroyand his awin cornis, that nevir proffeit sall cum thairof, the lyke of quhilk oppressioun wes nevir sene in ony cuntre; and gif the said Johnne Lovell mak convocatioun, and scheir and win his saidis cornis, he is certane howsone thai ar collectit togidder that thai salbe brint as thai wer the last yeir, without remeid be provydit, and it wer bot for the commoun weillis caus to eschew sic contemptuus oppressioun in a peciabill cuntre and lawland, as at mair lenth is contenit in the said complaint. And anent the charge gevin to the said Henrie Lovell of Ballumby, to compeir befoir my Lord Regent and Lordis of Secreit Counsall this day, to answer to the said complaint, the said Johnne Lovell comperand personalie, and the said Henrie Lovell being oftymes callit and nocht comperand, my Lord Regent and Lordis of Secreit Counsall, understanding the wilfull contempt and dissobedience of the said Henrie being present in Edinburgh, and departand befoir his calling, ordanis thairfoir lettres to be direct to charge him to compeir befoir my said Lord Regent and Lordis of Secreit Counsall, at Edinburgh, or quhair it sal happin thame to be for the tyme, upoun the sext day nixt eftir the charge, to answer to the said complaint and utheris thingis to be inquirit of him at his cuming, tending to the establissing of peace and quietnes in the cuntre, under the pane of rebellioun and putting of thame to the horne; and gif he failye thairin, the said sext day being bipast, to denunce him rebell and put him to the horne, and to escheit, etc. Ballumby.

Apud Edinburgh, xxix die mensis Augusti anno Domini millesimo quingentesimo sexagesimo septimo.

Sederunt. Dominus Regens. Jacobus Comes de Mortoun. Joannes Comes de Atholl. Alexander Comes de Glencarne. Joannes Comes de Mar. Alexander Dominus Hume. Willelmus Dominus Ruthven. Robertus Dominus Sympill.

The quhilk day, Gilbert Curll sone to James Curll burges of Edinburgh, produceit the copy of his said faderis gift of the office of custumarie of the said burgh, with the custum stamp thairof, and protestit that the deliverying of the said stamp sould nocht hinder or prejuge him in his rycht, bot that he mycht have the new stamp in the Kingis name how sone it is maid. Protestatio Curll.

The quhilk day, Sir Johnne Bellenden of Auchnowle knycht presentit the seillis of Justiciarie, and thairupoun askit instrumentis.

Apud Edinburgh, penultimo Augusti anno Domini j^{m}v^{c}lxvii.

Sederunt. Domini ut in die predicto.

New Cunye. It is statute and ordanit be my Lord Regent, with avyise and counsale of the Lordis of Secreit Counsall, that thair be cunyeit ane penny of silver callit the James Ryall, the fynes of ellevin deneris fyne, and of wecht ane unce troyis wecht, with twa granis of remeid alsweill of wecht as fynes, havand on the ane syde ane sword with ane croun upoun the same, on the ane syde of the said croun ane hand putting ane fingir to the price of the pece, on the uther syde thairof the dait of the yeir, half on the ane syde half on the uther of the swerd, with this circumscriptioun, begynning at the syde of the croun directlie abone the said price: "Pro me si merior in me;" and upoun the uther syde oure Soveranis armes coverit with ane cloise croun, and ane J crownit on the ane syde, and R. crownit in like maner on the uther syde of the samyn; with this circumscriptioun begynnand directlie abone the croun with thre cocles: "Jacobus 6. Dei Grã Rex Scotorum;" the said penny to have cours for threttie schillingis money of this realme, the twa part for twentie schillingis, and the thrid part for ten schillingis, all of the same fynes and prent and of wecht equivolent to wit, the twa part of wecht of sextene deneris, and the thrid part of aucht deneris troyis wecht. In considderatioun quhairof my said Lord Regent, with avyise of the Secreit Counsall, in oure Soveranis Lordis name, commandis and chargeis David Forest generall of his Hienes cunyehous, Johnne Achesoun maister cunyeour, Andro Hendirsoun Wardane, James Mosman Assayour, and James Gray Sinker, and all Meltaris, Forgearis, and Prentaris within the said cunyehous, ilkane in thair awin office, to do thair diligence in melting, forgeing, and prenting of the saidis pecis as thai salbe commandit be the generall and maister cunyeour thairto, according to the wecht and fynes within thair remediis as is abone specifiit; and that lettres be direct for publicatioun heirof in dew forme as efferis, swa that nane pretend ignorance heirin.[1]

Apud Edinburgh, primo Septembris anno Domini j^{m}v^{c}lxvii.

Sederunt. Dominus Regens. Jacobus Comes de Mortoun. Joannes Comes de Atholl. Alexander Comes de Glencarne. Alexander Dominus Hume. Robertus Dominus Sympill. Willelmus Dominus Ruthven.

Charge on certane Baronis of Lowthian. The quhilk day, the Kingis Majestie, with avyise and consent of his dearest cousing, James Erll of Murray Lord Abirnethie, Regent of this realme, and Lordis of Secreit Counsale, ordanis lettres to be direct to com-

[1] See "Records of the Coinage of Scotland, from the earliest period to the Union," collected by R. W. Cochran-Patrick, vol. i. p. cxliii. and Plate VIII.

mand and charge Alexander Hammiltoun of Inverwik to entir his persoun in ward within the castell of Falkland within four dayis nixt eftir he be chargeit thairto; Robert Lawder of Bass, to deliver the hous, fortalice and Ile of Bass to the officiaris, executouris heirof, within xlviii houris nixt eftir the charge; Patrik Hepburne of Wauchtoun, to deliver his hous and castell of Wauchtoun within xlviii houris to the saidis officiaris; Williame Sinclair of Rosling, to deliver his house of Rosling, within xxiiii houris; Adame Hepburne of Smetoun and Williame Hepburne of Gilmertoun, to entir thair personis in ward within the castell of Edinburgh within xxiiii houris eftir the charge; Oliver Sinclair of Quhitkirk and Williame Newtoun of that Ilk, to entir thair personis in ward within the castell of Down of Menteith within thre dayis; thairto remane upoun thair awin expenssis, ay and quhill thai be relevit; and that the Secretare, and his deputtis keparis of the signet, direct lettres of ressait to the saidis personis, wardouris, in competent and dew forme as efferis, and that lettres and chargeis be direct heirupoun togidder or separatlie as neid beis; and in caise the saidis personis failye, the spaces abonewrittin respective being bipast, to put thame to the horne, and to escheit, etc.

Protestatio Tenent.

The quhilk day, Mongo Tennent producit the testimoniall of the Greit Seill and protestit that the deliverance thairof wer nocht prejudiciall to his office of the keping of the samyn.

Discharge of James Edmonstonis Lettre of Marque.

In Dei nomine amen. Per hoc presens publicum instrumentum, cunctis pateat evidenter, quod anno Dominice incarnationis millesimo quingentesimo sexagesimo septimo cal. Septembris, regnique excellentissimi et serenissimi principis Jacobi Sexti Dei gratia Scotorum regis supremi domini nostri illustrissimi anno primo,—ad aures Majestatis Regie, charissimique avinculi sui Jacobi Comitis Moravie Domini Abirnethie etc. Pro-rege ac summi regni sui administratoris, amplissimorumque virorum qui illi in consilio adsunt, pervenit charissimam sue Majestatis matrem circumventam atque deceptam a Comite Bothuallo, magno omnium qui in regno ac dictione sua vivunt incommodo,—Jacobo Edmonstoun atque Gulielmo Blacater privilegium sub secreto suo sigillo concessisse, ut omnes omnium regionum homines quibuscunque regi Sueciae bellum esset, vi et armis terris marique impune persequerentur; ut in ipsis litteris in hanc sententiam scriptis plurimis verbis permissum est. Quoquidem privilegio, non modo ipsius regis Majestas violata, civibusque suis injuria allata; sed etiam regi Daniæ aliisque sue Majestatis sociis ac confederatis, ansa a pristina amicitia ac societate discedendi (siquidem illi alii ire illorum permissione potestate concessa usi fuissent) suppeditata videtur. Regiæ autem Majestati quam hoc tempore cum omnibus regibus ac regionibus pacem colit eam quoad ejus fieri potest nulla in re violare aut infringere certum est, precipue vero S. regem Daniæ in amicitia ac foedere jamdiu inviolato studiose retinere cupit. Cumque ex his de quibus ante mentio facta est veris, Gulielmus Blacater, tum aliis de causis, tum quod piraticam

exercuerit, in crucem sit sublatus, Jacobus autem Edmonstoun in carcere eadem de causa constrictus detineatur; idcirco regie Majestatis authoritate ex consilio charissimi sui avunculi Pro-rege ac summi regni Scotie administratoris, amplissimorumque virorum qui illi in consilio adsunt, lato privilegio derogatum est, atque derogatum ut id ipsum privilegium, ex hoc die irritum ac nullius plane ponderis sit. Quod ut facilius omnibus innotescat, regiæ Majestati placet, in omnium civitatum foris edicto proposito caveri, ne quis iniquissimo illo privilegio fretus, ullius regionis, maxime S. regis Daniæ hominibus, vim afferre audeat qui secus faciunt piratarum ac predonum more, extremo supplicio afficiuntur, ut illorum exemplo edocti, discant sibi alii ab ejusmodi flagitiis temperare.

Primo die mensis Septembris, anno Domini millesimo quingentesimo sexagesimo septimo.

Act of Hadingtoun. The quhilk day, Thomas Puntoun Provest, and Barnard Thomsoun Baillie of the burgh of Hadingtoun, convenit the commonitie and inhabitantis of the samyn burgh, within the Tolbuyth of the samyn, and thair according to the command gevin to thame be the maist nobill James, Regent of the realme of Scotland, inquirit at the commonitie underwrittin gif thai will consent and accept the coronatioun of oure Soverane maid befoir; and siclike gif thai will consent to the electing of the said nobill in Regent, and acceptatioun of the Regentrie of this realme foirsaid, acceptit be him afoir now, as gif thai had bene present at the said coronatioun and electing of the said Regent or nocht. Quhilkis personis undirwrittin, with ane consent, voce, and mynd, gaif thair expres consent and assent thairto, and committit thair full power to the said Provest and Baillies, Barnard Thomsoun and James Horne, Baillies, in thair names to subscrive the samyn in forme as efferis, quhais names followis: Johnne Forros, Johnne Aytoun, Adame Wilsoun eldar, Andro Thomsoun, Johnne Gray, Cuthbert Symsoun, Johnne Dowglas cordinar, Johnne Swyntoun, Johnne Welandis, James Cokburne, Adame Cokburne marchand, Johnne Watt, James Richertsoun, Johnne Quinthur, Adame Cokburne maltman, Johnne Carkettill, Johnne Romannoss, Robert Thomsoun, Harie Cokburne youngar, Johnne Huntar, Robert Galbrayth, Williame Wilsoun, Henrie Thomsoun, Adame Wilsoun youngar, Johnne Ramsay, Andro Bayne, Nicholl Marschell, Thomas Broun, Patrik Hog, Adame Gray, Thomas Sydserf, Nicoll Dunlop, James Mow, Johnne Blakburne, Archibald Kyle, Williame Thyn, Johnne Allane fleschour, Johnne Young, Johnne Rammyche, Patrik Martine, Andro Quhyte, Patrik Lausoun, Williame Maislett, James Twedie, Philp Gibsoun, Thomas Millar, Johnne Dowglass baxter, George Aytoun, Thomas Perkye, Thomas Dikesoun; and thairupoun the said Provest askit actis and instrumentis.

Wilson. Curll. The quhilk day, anent the complaint maid be Thomas Wilsoun, indwellar in Edinburgh, makand mentioun, that quhair be the space of ellevin

owlkis or thairby last bipast he coft within oure burgh of Jedburgh fra Williame Stevinsoun burges and freman thairof, sex small pecis of Inglis clayth, and brocht the samyn within this burgh of Edinburgh, to have bene sauld upoun mercat dayis as use is to the liegis of this realme; and the said small clayth being liand haill togidder pakkit, unbrokkit, sauld, sparpallit, or cuttit be the said Thomas in ony sort, and being reddie to have custumit the samyn as use is, or he presentit the samyn to ony mercat or maid marchandice thairof; James Curll, custumar of Edinburgh, his sonnis, and Thomas Makcartnay, clerk of the cocquet, on quhat malice or occasioun the said Thomas Wilsoun knawis nocht borne be thame aganis him, thay have reft and takin the haill clayth fra him, uncuttit or sauld be him as said is; and hes withhaldin the samyn fra him be the space of xi owlkis or thairby, he being ane pover man, and having lytill or na thing mair to sustene himself, his wyff, famell, and barnis, and nocht offendand nor contravenand na actis nor statutis, bot evir reddie lyke as he is yit, to pay all custumes and dewiteis quhilk he aucht to do thairfoir usit and wount; and Sir Williame Murray of Tulibardin knycht knawand the premissis to be of veritie, direct his precept to the said James Curll, chargeing him to deliver to the said Thomas Wilsoun his clayth foirsaid, takand his ressonabill custum thairfoir. Quhilk charge being intimat and schawin to his wyff and his sonnis, thay have contempnandlie dissobeyit, and as yit withhaldis the said clayth fra the said Thomas to his havie dampnage and skayth; and anent the charge gevin to Henrie Curll and James Curll, sonnis to the said James Curll custumar, and Barclay his spous, to compeir befoir my Lord Regent and Lordis of Secreit Counsall, to answer to the said complaint; comperit Gilbert Curll, eldest sone to the said James, in name and behalf of his saidis brethir and moder, and fand James Mure saiddlair burges of Edinburgh, cautionar and souertie that thai sould hald ferme and stabill all thing quhilk he sould do in this caus. The rychtis, ressonis, and allegationis of bayth the saidis partiis being hard, sene, and understand to my said Lord Regent and Counsall, and thai ryplie avysit thairwith; decernis and ordanis the saidis Henrie and James Curllis, the said Barclay, thair moder, and the said James Mure, cautionar and souertie foirsaid, to deliver to the said Thomas Wilsoun the saidis sex pecis of clayth, takand the custum thairfoir usit and wount but forder delay; and that lettres be direct heirupoun, gif neid be, in forme as efferis.

That nane transport talloun.

Forsamekill as be diverse Actis of Parliament observit in tymes bigane, it is inhibit to transport talloun furth of this realme, quhilk Actis oure Soverane Lord the Kingis Majestie, with avyise of my Lord Regent and Lordis of Secreit Counsall, ordanis to be put to executioun in all pointis; and that lettres be direct, commanding all the liegis of this realme, that nane of thame tak upoun hand to melt, carie, or transport talloun furth of the cuntre to ony uther part, eftir the forme and tennour of the saidis Actis, and under the panis contenit in the samyn, nochtwithstanding the

pretendit licence unlauchfullie grantit to Johnne Mortoun suddart for the transporting of sex lastis of talloun; dischargeing him, his assignayis, and all utheris of transporting the samyn under the pane foirsaid.

Proclamation to all men to be in reddines.

Forsamekill as it hes plesit Almychty God lauchfullie and rychtuouslie to call oure Soverane Lord the Kingis Majestie to the royall croun of this his kingdome be the demissioun of the Quenis Grace his moder, and that he according to the same is solempnitlie investit and possest in the same kingdome, quhairof all his gude and loving subjectis ar detbund to prayis God that hes sa favourabillie and graciouslie lukit upoun this natioun ; and conforme to his ordinance and will to reverence, obey, and serve his Hienes as thair native Prince and Soverane Lord ; nevirtheles, the malicious hartis of sum unnaturall and dissobedient personis, liegis to his Majestie, ceissis nocht safar as in thame lyis planelie to resist and ganestand his Hienes authoritie now in the begynning thairof, contempnandlie plukkand doun and stoppand thai herauldis and ordinar officiaris of armes to mak proclamatioun and significatioun of his Majesteis coronatioun, tending na thing ellis as weill apperis be thair procedingis, bot planelie to dissobey his Hienes, and na wayis to recognosce him as thair Soverane Lord. As lykewyise James Erll Bothuile denunceit rebell and tratour, for the tressonabill, schamefull, and unworthie murthour of umquhile King Henrie oure Soveranis dearest fader, being fugitive fra the ordinar lawis and culpabill be the law of armes for refusall of that singular combat quhairunto of befoir he offerit him self for purgatioun of his allegeit innocency, hes bayth stuffit and garnissit oure Soveranis castell of Dunbar with men, munitioun, and utherwayis ; and being requirit to deliver the same, hes planelie refusit, mynding to detene and hald the said castell aganis oure Soverane Lord and his authoritie ; and in the menetyme the said Erll accumpaneit with a greit nowmer of notorious pyrattis—fugitives fra all lawis—and utheris brokin men being past to the sey, dalie committis reiff, depredatioun, plane pyracie, and oppressioun, on the subjectis of all Cristiane Princes freindis and confiderattis of this realme, evir thinking at his plesour to reteir him to oure said Soveranis Castell of Dunbar, as a saufgard and receptacle to keip him fra justice ; as alsua be the ayde of sic utheris as abstractis thair dew obedience fra his Hienes, to resist his authoritie foirsaid, and eschew the dew punisement quhilk worthelie he deservis for his rebellioun and tressonabill deidis, to the incourageing of sic ungodlie and wickit men to continew in thair mischevous deidis, and to the greit hurt of this commoun weill, gif tymous remeid be nocht provydit. Quhairfoir oure Soverane Lord, with avyise of his dearest cousing James Erll of Murray Lord Abirnethie, Regent of his Hienes this realme and liegis, and Lordis of oure Secreit Counsall, ordanis lettres to be direct, to command and charge all and sindry oure Soverane Lordis liegis and subdittis quhatsumevir betuix sextie and sextene yeris, and utheris fensabill personis alsweill dwelland to burgh as to land, within regalitie as rialtie, that thai and ilkane of thame, weill bodin in feir of weir with xx

dayis victuallis and provisioun eftir thair cuming, addres and prepair thame to meit my said Lord Regent at Edinburgh as thai salbe newlie adverteist be proclamatioun on four dayis warning, and swa to pas furthwart with him or the lieutenent, according as thai salbe commandit, for furthsetting of oure Soveranis authoritie, and persute of all sic as wald invaid or dissobey the same, and to remane for that effect during the space of xx dayis eftir thair cuming, under the pane of tinsall of lyff, landis, and gudis.

That nane transport horssis.

Forsamekill as albeit thair wes ane Act and ordinance maid of befoir, inhibiting the carying of ony horssis furth of this realme; yit thir twa yeris bipast diverse personis, partlie under pretence of privilegis and licencis and partlie without ony leif, hes transportit horssis furth of this cuntre to Burdeaulx and utheris partis beyond sey, and maid ane commoun traid and marcat thairof, to the greit skayth of this commoun weill and rasing of derth of horsis thairin, gif tymous remeid be nocht provydit. Thairfoir the Kingis Majestie, with avyise of my Lord Regent and Lordis of Secreit Counsall, ordanis lettres to be direct, to command and charge all and sindrie liegis of this realme, that nane of thame tak upoun hand, privatlie or opinlie, to carie or transport furth of this realme ony maner of horssis in tyme cuming; and likewyise that na skipparis and maisteris of schippis, indwellaris of this realme or strangearis, ressave within thair schip or schippis to be transportit to uther cuntreis, under the pane of confiscatioun of the horssis, schippis, and remanent gudis movabill, of the transportaris, and punissing of thair personis at the Kingis Majesteis will and his said Regent.

Ferriar. Wethirspune.

Anent oure Soverane Lordis lettres purchest at the instance of Andro Ferriare, makand mentioun, that quhair he havand the gift of the park of Linlythquow, for the commoditie thairof sew twa fauldis within the boundis of the samyn with brumeseid and cornis togidder, traisting na stop nor impediment in the schering, leding, and intrometting with the saidis cornis growand within the fredome of the said park and crope thairof of this instant yeir, be ony persoun or personis, in respect of the fredome and privilege of the said park; nevirtheles, James Wetherspune allegeand him to be takkisman of the teindis of the cornis growand within the fredome of the burgh of Linlythquow, acclamis and sayis that he will have teind schaves of the saidis cornis sawin be the said Andro in the twa fauldis foirsaidis belangand to the said park and within the boundis fredome and privilege thairof; and sua intendis to have teind of the saidis cornis be force and way of deid, or utherwayis be actioun of pley aganis the said Andro; howbeit the said park of Linlythquow, and all utheris parkis within this realme wer and ar fre of all paying of ony teind of the cornis being sawin thairin, or ony part thairof ganand thairto; and gif the said James beis now sufferit to have intromissioun with teind of the cornis sawin be the said Andro, and growand or that grew this instant

crope and yeir in the saidis fauldis, it wilbe ane preparative to the said James and utheris to do siclike within the privilegis and fredomis of uther oure Soverane Lordis parkis of this realme, to the greit apperand skayth thairof, and bringing of ane noveltie and new use within the samyn parkis quhair nevir sic thingis wer usit nor done of befoir, as at mair lenth is contenit in the saidis lettres; and anent the charge gevin to the said James Wethirspune, to compeir befoir my Lord Regent and Lordis of Secreit Counsall this day, to answer to the said complaint, bayth the partiis comperand personalie, thair rychtis, ressonis, and allegationis being hard, sene, and understand to the saidis Lordis, and thai ryplie avysit thairwith,—my Lord, with avyise of the Lordis of Secreit Counsall, ordanis and commandis Charles Drummond, Provost of Linlythquow, to teind the cornis growand in the saidis twa fauldis within the said park this instant yeir, and to set the samyn on the expenssis thairof within the said park, thair to remane ay and quhill it be decydit be ordeur of law to quhome the samyn appertenis; and that the said James Wethirspune persew for spoliatioun of the saidis teind schaves be ordour of recent spulye befoir the Lordis of Sessioun; and likwyise, the said Andro Ferriare, for spoliatioun of sic cornis as the said James Widdirspune hes alreddie takin furth of the said park, provyding that howbeit the said James obtene decreit, yit he sal have na forder executioun for ony sowmes recoverit bot onelie the saidis teindis to be collectit and set be the said Charles Drummond in maner foirsaid; and that lettres be direct heirupoun in forme as efferis.

Apud Leith, secundo Septembris anno j^{m}v^{c}lxvii.

Act of Leith. The quhilk day, the inhabitantis of the toun of Leyth underwrittin convenit within the kirk thairof, being requirit be Patrik Loch and George Hume, inhabitantis of the said toun, at the command of the maist nobill James, Regent of the realme of Scotland, and Lordis of Secreit Counsale, gif thai wald consent and accept the coronatioun of our Soverane maid of befoir, and electing of the said nobill Lord in Regent, and acceptatioun of the Regentrie of this realme foirsaid, acceptit be him of befoir now as gif thai had bene present at the said coronatioun and electing of the said Regent or nocht. Quhilkis personis underwritten, all in ane voce, gaif thair expres consent and assent thairto, and committis and committit thair full power to the saidis Patrik Loch, George Hume, Maister Johnne Logane of Craighous, to subscrive the band and obligatioun maid to that effect; of the quhilkis personis the names followis:—Johnne Logane of Coitfeild, Maister Johnne Logane of Craighous, Patrik Loch, George Hume, David Duff, Andro Lamb, David Melvile, Andro Cokburne, Johnne Bad, Nicholl Reid, Martine Ramsay, James Lindesay, Johnne Knox, Johnne Scot, Williame Broun, Johnne Pennycuke, Johnne Uchiltre, Cuthbert Littill, Maister Williame Balfour, Andro Burn, William Duff, David Ramsay, Robert Creich, Johnne Kyle, George Tempill, Williame Hutsoun, David Kay, Johnne Schankis, Edward Adamesoun, Patrik Congiltoun, Leonard

Robertsoun, Johnne Rynd, Thomas Glen, Martine Verno, Andro Wilsoun, Paull Grege, James Purves, Richert Heriot, Johnne Rekie, Robert Wod, Robert Finlaw, Henrie Murehall, Williame Jak, Alexander Cuke, Robert Dawling, Johnne Clerk, Johnne Hammiltoun, Johnne Thomsoun, Williame Gourlay, George Dawsoun, Charles Clerksoun, Johnne Rannald, Archibald Stratoun, Petir Carmichaell, David Wadie, John Thomsoun, Laurence Neilsoun, Thomas Smalum, Maister Johnne Balfour, Johnne Waldie, James Flemyng, Robert Broun, Johnne Forest, Thomas Fraser, Johnne Alexander, Andro Alexander, George Lundy, Robert Harpar, Thomas Lindesay, Johnne Mowbray, Robert Johnnestoun. Quhairupoun the said Patrik Loch askit actis and instrumentis.

Apud Edinburgh, tertio Septembris anno, etc. lxvii.

Charge on the Bischop of Dunblain.

The quhilk day, my Lord Regent and Lordis of Secreit Counsall, understanding that oure Soverane Lordis lettres ar rasit at the instance of Maister Johnne Spens of Condy, his Majesteis Advocat, aganis Williame Bischope of Dunblane, chargeing him to find souertie to compeir befoir oure said Soveranis Justice or his deputtis at ane certane day, to underly the lawis for certane crymes committit be him, and breking of the Actis of Parliament specifiit in the saidis lettres direct thairupoun. And becaus it is, or may be, allegeit that he obtenit licence of oure Soveranis derrest moder to pas furth of this realme, and remane furth of the samyn for a certane space, and thairthrow on his maner may pretend and allege excuse and delay for non comperance at the day contenit in the saidis lettres. Thairfoir oure Soverane, his Majesteis Regent, and Secreit Counsall,—willing that he, under the pretence and cullour of the said pretendit licence, evaid nocht the punisement condigne for the saidis crymes contenit in the saidis lettres, and upoun certane utheris ressonabill caussis and considderationis moving thame,—hes revokit, annullit, and dischargeit, and presentlie revokis, annullis, and dischargeis the said pretendit licence, gif ony be granted to the said Williame Bischop of Dunblane, in maner foirsaid, to have na place nor effect in tyme cuming; and ordanis lettres to be direct to officiaris of armes, shereffis in that part, to pas to the marcat croces of burrowis of Edinburgh, etc., and utheris places neidfull, and thair, be oppin proclamatioun, mak intimatioun and publicatioun to the said Williame Bischop of Dunblane, upon lx dayis warning—becaus he is furth of this realme—of the revocatioun, annulling, and dischargeing of the pretendit licence foirsaid in maner abonewritten, swa that he may pretend na ignorance nor excuse thairthrow heireftir.

Charge on Drumfreis.

Forsamekill as albeit the burgh of Drumfries and inhabitantis thairof in all tymes bipast, hes schewin thame selffis honest trew and obedient subjectis to our Soverane Lordis maist nobill progenitouris in all troublous tymes, nochtwithstanding the defectioun of quhatsumevir utheris in the cuntre; in the quhilk trewth and debtfull obedience oure Soverane Lord doubtis

nocht bot thai will perseveir and continew. And yit, seing thair negligence and oursycht laitlie sen his Majesteis coronatioun, that within thair burgh hes sufferit and permittit the herauldis of armes, makand publicatioun of his Hienes authoritie, and of the acceptatioun of office of Regentrie of this realme be his dearest cousing James Erll of Murray Lord Abirnethie, Regent to him, his realme and lieges, to be violentlie plukkit doun and his Hienes lettres reft and takin away, the Provost, Baillies, and inhabitantis of the said burgh, being for the maist part present and of sufficient power to resist the authouris of the saidis contemptuus usurpatioun and offenssis,—his Hienes and Regent foirsaid hes sufficient occasioun to alter thair gude consait and opinioun of the said burgh. For eschewing of quhilk inconvenient and disordour in tyme cuming, ordanis lettres to be direct, chargeing the Provost Baillies Counsale and communitie of the said burgh of Drumfreis, to assist the Sheref of Drumfreis, his deputtis and officiaris, and oure Soverane Lordis officiaris of armes quhatsumevir in executioun of his Hienes lettres chargeis and commandimentis, and furthsetting of his authoritie, and on na wayis to suffir the samyn to be impugnit, stoppit, or resistit within the said burgh or fredome and jurisdictioun thairof, under the pane of tinsall of thair fredome perpetuallie, and to be comptit, repute, callit, and persewit as usurparis of his Hienes authoritie, and favouraris and partakaris with the saidis usurparis. And als that the saidis inhabitantis, befoir the feist of Michaelmes now approcheand, elect and cheis sic personis in Provest Baillies Counsall and utheris officiaris, to quhome for the yeir to cum as ar affectionat to oure Soveranis service and obedient to his authoritie, removand the factious personis quhatsumevir pretendand in the contrair; and als that thai send certane honest men of thair nowmer to Edinburgh, or quhair it sal happin my Lord Regent and Counsall to be for the tyme, auctorizit with sufficient commissioun to gif thair avyise, counsale, and jugement in the furthsetting and establissing of all thingis quhilkis may tend to the obedience of oure Soverane Lordis authoritie and establissing of justice and quietnes in the cuntre, under the pane to be puneist as resistaris of the same authoritie, without difference or exceptioun of personis, in exempill of all utheris to commit the lyke contemptioun and untrewth in tyme cuming.

Apud Edinburgh, vii Septembris anno, etc. lxvii.

To deliver the hous of Hirdmestoun.

The quhilk day, my Lord Regent and Lordis of Secreit Counsall ordanis lettres to be direct to command and charge Margaret Sinclair, relict of umquhile Johnne Sinclair of Hirdmestoun, now the spous of James Ormistoun of that Ilk, and the said James of his interes, Michaell Scott, Williame Story, Johnne Nysbett, Johnne Drummond, Sir James Mosman, thair servandis, and all utheris possessouris, keparis, halderis, and detenaris of the tour, fortalice and hous of Hirdmestoun, to rander and deliver the same to the officiaris, executouris heirof, and to devoid and red thame selffis, thair

servandis, and gudis furth of the samyn, within sex houris nixt eftir thai be chargeit thairto, under the pane of rebellioun and putting of thame to the horne; and gif thai failye thairin, the saidis sex houris being bipast, to denunce thame rebellis and put thame to the horne, and to escheit, etc.

Charge on Colstoun.

The quhilk day, my Lord Regent, with avyise of the Lordis of Secreit Counsale, for certane ressonabill caussis and considderationis moving thame, tending to the gude rewle and pacificatioun of the cuntre, ordanis lettres to be direct chargeing George Broun of Colstoun to pas and entir his persoun in ward within the Castell of Blakness, thair to remane upoun his awin expenssis ay and quhill he be relevit, within four dayis nixt eftir he be chargeit thairto, under the pane of rebellioun and putting of him to the horne, and gif he failyeis, the saidis four dayis being bipast, to put him to the horne; and that the Secretare, or his deputtis keparis of the signet, pas lettres of ressait to the said George in competent and dew forme as efferis.

Apud Edinburgh, decimo Septembris anno, etc. lxvii.

Sederunt. Dominus Regens. Alexander Comes de Glencarne. Jacobus Comes de Mortoun. Joannes Comes de Atholl. Alexander Dominus Hume. Willelmus Dominus Ruthven. Robertus Dominus Sympill. Edwardus Dominus Sanquhair.

Charge on Dunbar.

The quhilk day, my Lord Regent, with avyise of the Lordis of Secreit Counsall—understanding oure Soverane Lordis Castell of Dunbar to be stuffit, haldin, and detenit aganis his Hienes and his authorite—ordanis lettres to be direct to command and charge James Erll Bothuile, Patrik Hepburne of Wauchtoun, Patrik Hepburne his sone and apperand air, Patrik Quhytlaw of that Ilk, Williame Newtoun of that Ilk, Johnne Newtoun his sone and apperand air, Maister Thomas Hepburne parsoun of Auldhampstokkis, Adame Hepburne of Smetoun, Williame Hepburne of Gilmertoun, and all utheris personis halderis and detenaris of the said Castell of Dunbar, to rander and deliver the samyn, with the haill munitionis, artaillierie, pulder, and uther plenissing being thairin, to the officiar executour heirof, and devoid and red thame selffis, thair servandis, and gudis furth of the samyn, within xxiiii houris nixt eftir thai be chargeit thairto, under the pane of tressoun; with certificatioun to thame and thai failye, thay salbe haldin, repute, and estemit as tratouris and conspiratouris aganis oure said Soverane Lordis authoritie, and the proces of forfaltour salbe led aganis thame, conforme to the lawis of this realme and Actis of Parliament.

Charge on the Baron of Dalyell.

The quhilk day, my Lord Regent, with avyise of the Lordis of Secreit Counsall, for certane ressonabill caussis and considderationis moving thame, tending to the gude rewll and pacificatioun of the cuntre, ordanis lettres to

be direct, chargeing David Nysbet of Dalyell, to pas and entir his persoun in ward within the Forth of Inchekeith—thair to remane upoun his awin expenssis ay and quhill he be relevit, within four dayis nixt eftir he be chargeit thairto, under the pane of rebellioun; and gif he failyeis, the saidis four dayis being bipast, to put him to the horne; and that the Secretare, or his deputtis keparis of the signet, pas lettres of ressait upoun the said David in competent and dew forme as efferis.

Charge on Blanerne and Mellestanis.

Forsamekill as Johnne Lummisden of Blanerne and Johnne Haitlie of Mellestanis wer effectuuslie writtin for be my Lord Regent to have cumit to the burgh of Edinburgh at ane certane day bigane, to gif thair avyise and jugement anent the establissing of justice and quietnes in this commoun weill, quhilk gentill admonitioun and desire thai have contempnandlie dissobeyit; thairfoir ordanis lettres to be direct, to charge the saidis personis to entir thair personis in ward within the burgh of Edinburgh—thair to remane upoun thair awin expenssis, ay and quhill thai be relevit, within thre dayis nixt eftir the charge, under the pane of rebellioun and putting of thame to the horne; and gif thai failye thairin, the saidis thre dayis being bipast, to denunce thame rebellis and put thame to the horne, and to escheit, etc.

Justice Clerk. Makcartnay.

Anent the supplicatioun presentit to my Lord Regent and Lordis of Secreit Counsall be Sir Johnne Bellenden of Auchnowle knycht, clerk of oure Soverane Lordis Justiciarie, makand mentioun; that quhair he hes be gift of oure said Soverane Lord with avyise, consent, and authoritie of my said Lord Regent, the office of clerkschip of cocquet of the burgh of Edinburgh, with power to exerce the samyn be him self and his deputtis in his name, and to uptak the feis and haill proffeittis pertening thairto during his liftyme, as at mair lenth is contenit in his said lettre of gift maid thairupoun; and necessar it is for executioun of the said office that he have the cocquet seill deliverit to him for using thairof as utheris clerkis did of befoir, quhilk the saidis Lordis be command and ordinance chargeit Robert Watsoun burges of the said burgh to caus be maid, and to be kepit and usit be him quhill the saidis Lordis had tane ordour anent the provisioun thairof, lyke as he causit mak the samyn to the effect foirsaid, and remanis in his handis, quha on na wayis will deliver the samyn to the said Sir Johnne for using and exerceing of the said office, conforme to his gift, without command of the saidis Lordis thairto. And anent the charge gevin to the said Robert Watsoun, to compeir befoir my said Lord Regent and Counsall, to produce the said seill with the said ordinance gevin to him for making thairof this day, to the effect the samyn mycht be deliverit to the said Sir Johnne to the effect abonewrittin, conforme to his said gift, under the pane of rebellioun, with certificatioun and he failyeit, lettres sould be direct simpliciter aganis him to put him to the horne, lyke as at mair lenth is contenit in the said supplicatioun. The said Sir Johnne Bellenden comperand personalie, and the said Robert Watsoun oftymes

callit and nocht comperand, my Lord Regent and Lordis of Secreit Counsall ordanis ane maser to charge the said Robert Watsoun yit as of befoir, to produce the said seill with the said ordinance gevin him for making thairof befoir the Counsall to the effect foirsaid within xxiiii houris nixt eftir he be chargeit thairto, under the pane of rebellioun and putting of him to the horne; and gif he failyeis thairin, the saidis xxiiii houris being bipast, to denunce him rebell and put him to the horne, and escheit and inbring all his movabill gudis to his Hienes use for his contemptioun.

That nane supple Dunbar.

The quhilk day, my Lord Regent and Lordis of Secreit Counsall, understanding the tressonabill interpryise of Patrik Quhytlaw of that Ilk, denuncit rebell and put to the horne as fugitive fra the law, for the schamefull, cruell, and unworthie murthour of umquhile oure Soverane Lordis dearest fader; quha alsua hes stuffit and garnissit his Hienes Castell of Dunbar, tressonabillie and contempnandlie refusand to rander and deilver the same, and myndand na thing ellis bot to ganestand his Hienes authoritie and in safar as in thame lyis to bereve him of his croun, gif thair tressonabill and temerarious attemptattis be nocht suddanlie repressit. Thairfoir ordanis lettres to be direct, commanding and chargeing all and sindry oure Soverane Lordis liegis, be oppin proclamatioun, at the marcat croces of Edinburgh, Hadingtoun, Dunbar, and all utheris places neidfull, that thai nor nane of thame tak upoun hand to ressett, supple, or intercommoun with the said Patrik Quhytlaw of that Ilk, or ony utheris personis being with him in cumpany, within the said Castell of Dunbar, or gif thame meit, drink, hous, or herbrie, or resset his or thair gudis in keping, or by or sell with thame thairupoun, under the pane to be repute and haldin culpabill of the said tressonabill murthour and detening of the said castell, and to be estemit as commoun ennemeis of oure said Soverane Lord and this commoun weill, and puneist and persewit with all regour in exempill of utheris.

Obligation of Drumfreis.

Be it kend till all men be thir present lettres, we, Provest, Baillies, Counsall, and communitie of the burgh of Drumfreis, to have maid constitute nemmit and ordanit, and be the tennour heirof nemmis, creattis, constitutis, and ordanis worthy men, James Rig and Thomas Makmynnes, burgessis of the said burgh, etc., conjunctlie and severalie oure verie lauchfull and undoutit commissaris, actouris, factouris, and speciall erand beraris, gevand, grantand, and committand to oure saidis commissaris, conjunctlie and severalie, oure full plane power, speciall mandment, expres bidding, command and charge, for us and in oure name, to compeir in the Tolbuyth of Edinburgh, or in utheris places neidfull, befoir oure Soverane Majesteis Regent and utheris Lordis of nobilitie of this his realme thair convenit for the commoun weill, and utheris effaris of oure Soverane Graces and this realme as salbe thocht be the Lordis of nobilitie, thair Counsall, maist expedient in siclike caussis, as thai sall decerne, at sic dayis and places assignit thairto; and thair to concur, withdraw, underly and determe in

thai thingis, with utheris commissaris of burrowis, quhilkis salbe convenit for the tyme for the utilitie and commoun welth, and thai thingis decernit to withdraw in all, and be all thingis with opportunitie of tyme salbe sene expedient; and generallie, all and quhatsumevir utheris thingis to do and use that to the office of lauchfull commissaris, actouris, factouris, and speciall erand beraris in siclike caissis is ordanit or is knawin to pertene; or that we mycht do oure selffis, and we wer present in proper persoun; ferme and stabill haldand, and for to hald, all and quhatsumevir thingis oure foirsaidis procuratouris, conjunctlie and severalie, dois or bedis to be done; and we sall releif thame and ilkane of thame in jugement of all thingis as the law levis, under the pane of all our gudis, movabill and unmovabill, present and to cum: In witnes of the quhilk thing—to this our commissioun in forme abonewrittin, subscrivit with oure handis, togidder with the hand of Herbert Cunynghame, scribe of oure Burrow Court, in the name and command of our commonitie, and notar publict, to the effect detfullie requirit,—oure commoun seill is affixit in the Tolbuyth of Drumfreis, the xi day of September, the yeir of God $j^{m}v^{c}$ thre scoir sevin yeris, befoir thir witnessis, Amer Maxwell, Williame Patirsoun, Michaell Batie, Halbart Ranyng, Thomas Newall, Johnne Thomsoun, Johnne Irrwing, Johnne Maxwell, Johnne Richertsoun, Williame Maxwell, Johnne Vellis, Thomas Batie, Adame Walker, Williame Cunynghame, David Raa, Williame Batie, David Rawling, Nicholl Martin, Johnne Macivir, Johnne Hereis, Johnne Murdoch, burgessis, with utheris diverse.

Apud Edinburgh, xv die mensis Septembris, anno, etc. lxvii.

Sederunt. Domini ut in die predicto.

Craufurd of Kirkwod.

Anent the supplicatioun presentit be Johnne Craufurde of Kirkwod, makand mentioun; that quhair he hes all and haill the landis of Cloverhill with thair pertinentis, liand in the parrochyn of Kirkpatrik barony of Drumry and sherefdome of Dunbartane, pertening to him in heretage, haldin be him immediatlie of Mathow Erll of Lennox and his airis; and be ressoun the said Erll laitlie put umquhile Henrie King of Scottis, his sone and apperand air, in fe of his haill landis and heretage, quha wes cruellie murtherit sone thaireftir, quhairthrow the saidis haill landis become in ward and nonentres unto the entre of the rychtuous air of the said umquhile Henrie; and swa the said Johnne Craufurde wes constranit to tak ane new gift of the said ward and nonentres of his saidis landis fra the Quenis Grace under compositioun of the soum of twentie markis, for the quhilk he fand Robert Lord Boyd souertie to my Lord Thesaurare quha intendis to compell the said Johnne Craufurde to mak payment thairof; albeit it is of veritie that our Soverane Lord, sone and air to the said umquhile Soverane King of his landis foirsaidis, is alreddie enterit air to his croun and landis foirsaidis, swa that thair is bot onelie ane terme past in nonentre; and in respect thairof, my said Lord Regent and Lordis of Secreit Counsall hes, be ane Act, dischargeit all giftis of ward or nonentres maid be oure said Soverane

Ladie during the tyme thairof, quhairthrow the rycht of the said Johnnes landis foirsaidis becumis in his awin handis as heretour, and nocht be vertew of the said gift; and swa he and his said souertie aucht and sould be dischargeit of his said compositioun grantit for the samyn for the caussis abonewrittin, as at mair lenth is contenit in the said supplicatioun. My Lord Regent and Lordis of Secreit Counsall ordanis, commandis, and chargeis the Thesaurare now present and being for the tyme, and all officiaris in thair names, to desist and ceise fra all asking, craving, ressaving, poinding or intrometting with the gudis and geir pertening to the said Johnne Craufurd or his said souertie for the said compositioun; dischargeing thame thairof and of thair offices in that part, for evir in tyme cuming for the caussis foirsaidis.

Apud Edinburgh, xvi Septembris, anno, etc. lxvii.

Charge on Dunbar.

The quhilk day, my Lord Regent and Lordis of Secreit Counsall ordanis lettres to be direct, to command and charge Patrik Quhytlaw of that Ilk, Margaret Hammiltoun his spous, and all utheris possessouris, keparis, halderis, and detenaris of the tour, fortalice, and hous of Coldbrandispeth, to rander and deliver the same to the officiaris executouris heirof, and to devoid and red thameselffis, thair servandis, and gudis furth of the samyn within sex houris nixt eftir thai be chargeit thairto, under the pane of tressoun, with certificatioun to thame and thai failye, thay salbe haldin, repute, demanyt, and persewit as tratouris, and the proces of forfaltour salbe led and deduceit aganis thame conforme to the lawis of this realme and Actis of Parliament.

Apud Edinburgh, xviii Septembris, anno, etc. lxvii.

Inhibitioun on the Bischop of Dunblane.

Forsamekill as Williame Bischop of Dunblane, having nocht onelie transgressit the Actis and proclamationis maid be the Quene oure Soverane Lordis dearest moder in saying and hering of mess, and causing ministrat the Sacramentis irreverentlie and undecentlie; as alswa passing furth of this cuntre without licence, nocht declarand the maner how he maid his finance, and trafficquand with the Papis Nunce and utheris his ministeris; as in likemaner usand utheris unlauchfull practizes and meanis to the greit hurt of this realme, contrair the tennour of the lawis and statutis thairof; is thairfoir callit to underly the law in the Tolbuyth of Edinburgh at oure Soverane Lordis Advocattis instance, as the lettres direct thairupoun beris; be the quhilkis inordinat, unlauchfull, and contemptuus procedingis, the said Bischop declaris and manifestis himself favourar and plane partaker with the murtheraris of his Majesteis dearest fader and a withstandar of his Hienes authoritie. Quhairfoir my Lord Regent, with avyise of the Lordis of Secreit Counsall, ordanis lettres to be direct, chargeing all and sindry fewaris, fermoraris, tenentis, takkismen, occupiaris and utheris quhatsumevir, astrictit in payment of ony males fermis teindis rentis or utheris quhatsumevir, pertening to the bischoprik of Dunblane,

that nane of thame tak upoun hand to answer, obey, or mak payment to the said Bischop, or ony in his name, of the samyn, under the pane to be repute and haldin art and part with him in his wickit deidis and enormiteis, certifeing thame and thai failye, thay salbe compellit to pay the samyn owir agane; and als to fense and arreist all and sindry the saidis males, fermis, teindis, rentis, fischeingis and utheris dewiteis quhatsumevir pertening to the said bischoprik of Dunblane, to remane in the tenentis handis unpayit in ony wyise to the said Bischop, or ony in his name, quhill he be tryit be ordour of justice for the crymes abonewrittin layd to his charge, and the said arreistment dewlie lowsit.

Apud Edinburgh, xix Septembris, anno, etc. lxvii.

Charge on Gentilmen of Galloway.

Forsamekill as sen oure Soverane Lordis coronatioun, and acceptatioun of the office of Regentrie of this realme be his dearest cousing James Erll of Murray Lord Abirnethie, thair hes occurrit diverse disorderis and inobediences committit be the inhabitantis within the boundis of the West Wardanerie of this realme, to the greit troubill and inquietnes of the cuntre, and contempt of oure Soverane Lordis authoritie. For remeid quhairof, ordanis lettres to be direct, to command and charge Johnne Gordoun of Lochinvar, Thomas Makclellane of Bomby, Makculloch of Cardones, Patrik Agnew sheref of Wigtoun, Williame Gordoun of Crachlaw, Alexander Gordoun of Troquhane, Johnne Gordoun of Barskeoch, Alexander Gordoun in Ardis, Michaill Lord Carlile, Thomas Kirkpatrik of Alisland, Johnne Carrutheris of Holmendis, Johnne Johnnestoun of Newby, Roger Kirkpatrik of Closeburne, Williame Kirkpatrik of Kirkmichaell, Charles Murray of Cokpule, and Johnne Johnnestoun of that Ilk, to compeir personalie befoir my said Lord Regent and Lordis of Secreit Counsall upoun the sext day of October nixt to cum, to gif thair avyise and jugement, anent the establissing of universall justice and quietnes within the boundis of the said West Marche, and to underly sic directioun and charge as salbe gevin thame in that behalf, under the pane of rebellioun and putting of thame to the horne; and gif thai failye thairin, the said day being bipast, to denunce the dissobeyaris rebellis, and put thame to the horne, and to escheit, etc.

Charge on Patrik Blacater.

The quhilk day, my Lord Regent and Lordis of Secreit Counsall, understanding how Patrik Blacater hes bene oft and diverse tymes chargeit to compeir befoir thame, as alsua to have enterit his persoun in ward within the Castell of Edinburgh, in respect of his dissobedience; and nochtwithstanding, the said Patrik hes wilfullie and contempnandlie dissobeyit, to the evill exempill of utheris to do the lyke, gif his obstinat contempt be neglectit and he nocht puneist thairfoir as appertenis. Thairfoir ordanis lettres to be direct to command and charge the said Patrik Blacater, yit as of befoir, to pas and entir his persoun in ward within the Castell of Edinburgh, thair to remane upoun his awin expenssis, ay and quhill he be fred,

within thre dayis nixt eftir he be chargit thairto, under the pane of rebellioun and putting of him to the horne; and that he cum to the Secretare, or his deputtis keparis of the signet, and ressave lettres for his ressait in ward within the said Castell; the quhilkis thre dayis being bipast, and he dissobeyand, to denunce him rebell and put him to the horne, and to escheit; and to charge him personalie gif he can be apprehendit; and failyeing thairof be oppin proclamatioun at the marcat croces of Edinburgh and Culross.

Halyrudehous. Inverleith.

The quhilk day, anent the complaint maid be Robert Commendatare of Halyrudhous, makand mention; that quhair it is manifest and notour that he and his servandis in his name, hes bene in use and possessioun of teinding and of leding of the teind schaves of the landis of Inverleith and Weirdie to his awin barne yard in Brochtoun, thir diverse yeris bigane but molestatioun; lyke as he yit hes the undoubtit rycht thairof undisponit or set fra himself; and alsua causit mak inhibitioun lauchfullie in dew tyme, that na persoun sould intromet thairwith of his instant crope without his rycht licence and tollerance had thairto. Nevirtheles George Towris of Inverleith, be himself his servandis and complices in his name, hes begun the xviii day of September instant to leid in the said Commendataris teind schaves of the saidis landis to his barne yaird in Inverleith, gevand thairthrow occasioun sa far as lay in him to draw on cummer and inconvenient for the saidis teindis, quhilk the said Commendatare, for his part, is maist layth sould follow. And anent the charge gevin to the said George, to compeir this day to answer to the said complaint, the said Commendatare comperand be Maister David Makgill his procuratour, and Adam Bell his chalmerlane, of the said Abbay; and the said George comperand personalie, the rychtis and allegationis of bayth the partiis being hard and understand, my Lord Regent, with avyise of the Lordis of Secreit Counsall, ordanis the said George Touris to desist and ceise, fra all stopping or impediment making to the said Adame Bell chalmerlane foirsaid, in leding and teinding of the saidis teindis of Inverleith to the said Commendataris barneyard in Brouchtoun, quhilk the said George promittit to do, according to the said command and ordinance.

Apud Edinburgh, xx Septembris, anno, etc. lxvii.

Sederunt. Dominus Regens. Jacobus Comes de Mortoun. Joannes Comes de Atholl. Alexander Dominus Hume. Patricius Dominus Lindesay.

That nane transport victualis.

The quhilk day, my Lord Regent and Lordis of Secreit Counsall, considering that victualis ar cariit furth of this realme be marchantis and utheris in greit quantitie under the pretence of certane licencis impetrat of the Quenis Grace, our Soverane Lordis dearest moder, to the greit incress of derth and skantines, the cornis of this instant yeir and crope being at Goddis plesour plagit and spilt with weit, and swa in all apparence skars

anewch to sustene the induellaris of this cuntre. Quhairfoir, my said Lord Regent, with avyise of the saidis Lordis of Secreit Counsall, eftir grave deliberatioun and consultatioun in oure Soverane Lordis name, hes revokit, dischargit, and suspendit all the saidis licencis gevin for transporting of ony maner of victuallis in tymes bigane; and als statutis and ordanis that na victuallis be transportit nor cariit furth of this realme to be sauld in uther cuntreis in tyme cuming, under the pane of confiscatioun of the victuales and schip quharin the samyn sal happin to be transportit to our Soverane Lordis use, and of all the remanent gudis of the transportaris of the same; and that lettres be direct for publicatioun heirof in dew forme as efferis.

Discharge of Exemptionis. The quhilk day, my Lord Regent and Lordis of Secreit Counsall, understanding how in the tyme of the Quenis Grace oure Soverane Lordis dearest moderis regnne and governament, be the procurement of sic as circumvenit her Grace, schö grantit and gaif licencis to a greit nowmer of the subjectis of this realme, to depart and pas furth of the samyn, to remane and abyde at hame fra all oistis, armeis, raidis, weris, and assembleis; and exemand thame fra all comperance and passing upoun assyissis or inqueistis befoir the Justice and utheris jugeis ordinar; quhilkis licencis and exemptionis ar expres aganis the commoun weill, and prejudiciall to our Soverane Lordis debtfull obedience aucht to his Majestie be all his subjectis indifferentlie, without exceptioun of personis. Quhairfoir, my said Lord Regent, with avyise of the Lordis of Secreit Counsall, hes revokit, renunceit, dischargeit, and suspendit all the saidis licencis gevin and grantit to quhatsumevir persoun or personis befoir the dait heirof; and ordanis thame to have na place, nor yit to be admittit befoir the Justice or quhatsumevir uther Juge or Jugeis in tyme cuming quhill the samyn be first sychtit be my said Lord Regent and Counsall, and admittit and approvit be thame.

Proclamation to pas to the assege of Dunbar. The quhilk day, my Lord Regent and Lordis of Secreit Counsall, understanding how oure Soverane Lordis Castell of Dunbar presentlie stuffit fortifiit and detenit aganis his Majestie, nochtwithstanding the chargeis execute on the detenaris thairof, is still withaldin be his Hienes rebellis, quhilkis planelie resistis and withstandis his Majesteis authoritie, tending with tyme to subvert the haill estait of the commoun weill gif tymous remeid be nocht provydit. Thairfoir ordanis lettres to be direct, chargeing all and sindry his Majesteis liegis and subdittis quhatsumevir betuix lx and xvi yeris, and utheris fensabill personis dwelland to landward, alsweill within Regalitie as Rialte, that thai and ilkane of thame, weill bodin in feir of weir, with xx dayis victuallis and provisioun, convene: viz., the inhabitantis within the sherefdomes of Linlythquow, Edinburgh principall, and within the constabularie of Hadingtoun, at Edinburgh, the xxvi day of September instant; and the inhabitantis within the sherefdome of Berwik, at Hadingtoun the xxviii day of the same moneth; and thairfra to pas furthwart and attend upoun my said Lord Regent or the Lieutenent to be

appointit to that effect, for assegeing of the said Castell, or utherwyise as thai salbe commandit, under the pane of tinsall of lyff, landis, and gudis.

Discharge of Thriddis.

The quhilk day, my Lord Regent and Lordis of Secreit Counsale, considdering the estait of this Realme, and how chargeabill the furthsetting of the publict thai effaris thairof ar, as alsua weying and having regard how the ministeris and precheouris of the Word of God salbe sustenit, hes fund the thridis of benefices, commoun kirkis, freris landis and rentis, and utheris dewiteis at the begynning dedicat and appointit to the sustentatioun of the publict and neidfull effaris of the commoun weill and ministerie, to be employit utherwayis, in sic maner that of the haill, lytill or na thing is left to the performing of that thing quhairunto, as said is, thai were destinat; quhilk abuse and confusioun proceding on the inoportune sute of schameles askeris in the regnne and governament of the Quenis Grace, oure Soverane Lordis dearest moder; hir Hienes persaving the errour, eftir gude and mature deliberatioun had in hir Secreit Counsale, it wes fund be hir Hienes and Counsale that the saidis thridis of benefices, commoun kirkis, freris landis, and rentis being gevin, assumit, and takin to the endis and effectis abonewrittin, mycht be disponit, gevin, and applyit na utherwayis bot to the same use that thai wer dedicat unto at the begynning. And thairfoir lyke as all giftis or discharges of thridis, commoun kirkis, or freris landis or pensionis furth of the samyn, or takkis set of the landis, teindis, and possessionis thairof maid be hir Grace upoun wrang report and inoportune sute, without dew cognitioun quhat hir Hienes mycht do thairin, and in diminutioun of the trew rentall, wer in thame selffis fra the begynning vane, null, and of nane avale force nor effect; sa hir Majestie, be avyise of hir said Secreit Counsale, rescindit, revokit, cassit, annullit, and dischargit, than and in all tyme cuming, all the saidis giftis, dispositionis, and dischargeis of thridis, commoun kirkis, freris landis, and rentis; all pensionis gevin furth of the samyn; all takkis set of the landis, teindis, and possessionis assumit in payment of the saidis thridis; togidder with all uther dispositionis, assignationis, or pretendit titillis quhatsumevir, howsoever thai be nominat quhairby the first ordour hes bene alterit, or the yeirlie dewitie ony wyis diminischit; decernand and declarand the samyn to have bene fra the begynning and to be in all tyme cuming null, invalide, and of nane avale, force, nor effect, lyke as at mair lenth is contenit in the Act of the Secreit Counsale maid thairupoun, of the dait the xvii day of September, the yeir of God $j^{m}v^{c}$ thre scoir sex yeris. And howbeit the samyn sould have stayit and brydillit all forder inoportunitie and schameles asking, yit wes hir Grace in lytill bettir caise nor of befoir, throw the crying of sic as of befoir had taistit of the proffeitt quhilk na thing belangit to thame; quhill weryit and overcumin be thair continewall crying and faschelie schö in a maner dispensit with the said publict ordinance, and as of befoir maid giftis and dischargeis of thridis, takkis, compositionis for thridis, ratificationis, and approbationis in former lettres and giftis; lyke, certane of hir Majesteis Previe Counsall present for the tyme, being preissit

inoportunelie in particular, wer impellit to subscrive the same; quhairunto thai wer the les difficill, knawing how thair particular consent or approbatioun sould in na wayis mak dirogatioun to the said publict act and ordinance. Upoun the occasioun quhairof, in proces of tyme, the former corruptioun and abuse wes renewit and enterit agane; quhairthrow the publict effaris wer neglectit for inlaik of that quhairwith cheiflie thai sould have bene furnessit, and the ministerie and precheing of the Word of God decayit, in defalt of the neidfull sustentatioun of the appointit ministeris. Quhairfoir my said Lord Regent and Lordis of Secreit Counsale, willing to reforme sic greit abuse and confusioun, and reduce the saidis thridis to the first and rycht ordour that thai wer appointit unto at the begynning in oure Soverane Lordis name and authoritie, ratifiis, apprevis, and for his Hienes and his successouris perpetuallie confermis the said publict act and ordinance maid the said xvii day of September the yeir abonewrittin, in all and sindry pointis, articles, contentis, and claussis thairof; and ordanis the same to have full effect in tyme cuming, without obstakill, impediment, or derogatioun quhatsumevir to be maid thairto, nochtwithstanding ony giftis dispositionis or dischargeis, of thridis, commoun kirkis, freris landis, and rentis, all pensionis gevin furth of the samyn, all takkis set of the landis, teindis, and possessionis thairof, or compositioun thairfoir,—alterand money for victuall or utherwayis maid,—owther be hir Grace or hir Comptrollaris for the tyme, in diminutioun of the just and trew rentall; or ony utheris dispositionis, assignationis, or pretendit titillis quhatsumevir, howsoevir thai be nominat, quhairby the said first ordour hes bene alterit, or the yeirlie dewitie ony wyise diminischit; decernand and declarand the samyn, alsweill befoir the said Act maid the said xvii day of September, the yeir of God $j^{m}v^{c}$ thre scoir sex yeris foirsaid, as sensyne and in tyme cuming to be null, invalide, and of nane avale, force, nor effect. And ordanis the Comptrollar be him self, his chalmerlanis and collectouris, to ask crave ressave intromet and uptak, the thridis of all and sindry benefices, pensionis, portionis, haill commoun kirkis, freris landis and rentis within this realme, of the crope and yeir of God $j^{m}v^{c}$ thre scoir sevin yeris instant and in tyme cuming, fully and compleitlie, conforme to the first and maist trew rentallis, without respect of ony gift, dispositioun, discharge, pensioun, tak, compositioun, impetrat or obtenit be quhatsumevir, in tyme bipast in the contrair. And siclike ordanis the Lordis of Counsale and Sessioun to grant lettres in the four formes, inhibitionis, and utheris chargeis neidfull at the Comptrollar and his collectouris instance, conforme heirto in the maist suir and ampill forme as efferis. And that the saidis Lordis on na wayis grant suspensioun or relaxatioun fra the horne to quhatsumevir persoun or personis upoun the frutis of this instant yeir and crope, or in tyme cuming, nochtwithstanding ony gift, dispositioun, discharge, pensioun, tak, or compositioun, in quhatsumevir forme under Previe Seill, Signet, or utherwayis, or be quhomesoevir the same be subscrivit; bot hald, repute, and esteme the samyn at the productioun thairof as null, extinct, and of na grittar valu nor gif the Quenis Grace had disponit that

thing quhilk pertenit nocht to hir Hienes; and that thai na wyise credit, allow, nor admit the same for ony maner of occasioun in tyme cuming.

Apud Edinburgh, xxii Septembris, anno, etc. lxvii.

To rander the pikkis at Carbarry Hill.

Forsamekill as it is undirstand to my Lord Regent and Lordis of Secreit Counsall that thre hundrith pickis or thairby of the munitioun of oure Soverane Lordis Castell of Dunbar being brocht to the feildis to Carbarry Hill wer sparpallit and intromettit with be diverse of oure said Soveranis liegis, quhilkis pikkis of dewitie aucht to be randerit and deliverit be the personis intromettouris thairwith. Thairfoir ordanis lettres to be direct to command and charge all oure Soverane Lordis liegis, be oppin proclamatioun at the marcat croces of Edinburgh, Hadingtoun, and parroche kirkis of Mussilburgh, Tranent, Seytoun, Pencaitland, Keith, Saltoun, Cranstoun, and utheris parroche kirkis thairabout, to rander and deliver the pikkis being in thair handis, or intromettit with be thame at the said Hill of Carbarry or utherwyise, the xv day of Junii last bipast, at the Provestis ludgeing of Edinburgh, within thre dayis nixt eftir thai be chargeit thairto, under the pane of deid and confiscatioun of all thair movabill gudis to oure Soverane Lordis use for thair contemptioun; and that particular dittay be takin thairupoun and justice courtis set upoun the offendouris as accordis of law.

Apud Edinburgh, xxiii die mensis Septembris, anno, etc. lxvii.

Anent the Reparation of Paroche Kirkis.

The quhilk day, my Lord Regent, with avyise of the Lordis of Secreit Counsale, ordanis lettres to be direct in oure Soverane Lordis name of this present dait, according to the Act maid anent the reparatioun of parroche kirkis, of the dait the day of the yeir of God $j^{m}v^{c}$ thre scoir yeris, in all pointis.

Charge on certan gentilmen of Eist Lowthiane.

Forsamekill as the Castell of Dunbar being stuffit and withhaldin aganis oure Soverane Lord and his authoritie be Patrik Hepburne of Wauchtoun, Patrik Hepburne his sone and apperand air, Patrik Quhytlaw of that Ilk, Maister George Hepburne persoun of Hauch, and thair complices; the saidis Patrik Hepburne of Wauchtoun youngar and Maister George hes withdrawin thame selffis furth of the said castell, thinkand to mak troubill and impediment to the furthsetting of oure Soverane Lordis authoritie and service; for remeid quhairof, ordanis lettres to be direct chargeing the said Patrik Hepburne of Wauchtoun youngar and Maister George Hepburne persoun of Hauch, Johnne Carkettill of Finglen, Johnne and George Carkettillis his sonnis, etc., to pas and entir thair personis in ward within the Castell of Edinburgh, thair to remane upoun thair awin expenssis, ay and quhill thai be relevit, within xlviii houris nixt eftir thai be chargeit thairto, under the pane of rebellioun and putting of thame to the horne; and that thai cum to the Secretare, or his deputtis keparis of the signet, and ressave lettres for thair

ressait in ward within the said castell; the quhilkis xlviii houris being bipast, and thai dissobeyand, to denunce thame rebellis and put thame to the horne, and to escheit, etc.

To prepair victualis to the Camp at Dunbar.

Forsamekill as oure Soverane Lordis Castell of Dunbar haldin and detenit be his Hienes rebellis is now inclosit be his Majesteis trew liegis, quhilkis mon be sustenit with all neidfull viveris; thairfoir my Lord Regent, with avyise of the Lordis of Secreit Counsall, ordanis lettres to be direct to command and charge the baxtaris, browistaris, and flescheouris of the burgh of Hadingtoun, that thai and ilk ane of thame pas furthwart with bakin breid, browin aill, and flesche, for furnissing of the men of weir and camp liand at the assege of the said castell, to be sauld to thame upoun ressonabill and competent prices, under the pane to be repute and haldin favouraris and partakaris with the rebellis, withhalderis of the said castell, and to be puneist thairfoir with all regour in exempill of utheris; and to charge the Provest and Baillies of the said burgh to se the said breid, aill, and flesche furneist and send to the said camp, as thai will answer upoun thair dewitie and allegeance to our Soverane, and under the pane abonewrittin.

Apud Edinburgh, xxv die mensis Septembris, anno Domini millesimo quingentesimo sexagesimo septimo.

That nane supple Dunbar.

The quhilk day, my Lord Regent and Lordis of Secreit Counsale, understanding the tressonabill interpryise of Patrik Quhytlaw of that Ilk, denunceit rebell and put to the horne, as fugitive fra the law, for the schamefull cruell and unworthie murthour of umquhile oure Soverane Lordis dearest fader; quha alsua, accumpaneit with Patrik Hepburne of Wauchtoun, Williame Newtoun of that Ilk, Adame Hepburne of Smetoun, Williame Hepburne of Gilmertoun, Maister George Hepburne persoun of Hauch, Maister Thomas Hepburne persoun of Auldhampstokkis, Patrik Hepburne of Kirklandhill, and thair complices, hes stuffit and garnissit his Hienes Castell of Dunbar, tressonablie and contempnandlie refusand to rander and deliver the same, and mynding na thing ellis bot to ganestand his authoritie, and, in sa far as in thame lyis to bereve him of his croun, gif thair tressonabill and temerarius attemptattis be nocht suddanlie repressit. Thairfoir ordanis lettres to be direct commanding and chargeing all and sindrie oure Soverane Lordis liegis, be oppin proclamatioun, at the marcat croces of Edinburgh, Hadingtoun, Dunbar, and all utheris places neidfull; that thai nor nane of thame tak upoun hand to resset, supple, or intercommoun with the personis abonewrittin, or ony utheris personis being in thair cumpany, or assistand to thame within or outwith the said castell, or gif thame meit, drink, hous, or herbry, or ressave thair gudis in keping, or by or sell with thame thairupoun; under the pane to be repute and haldin culpabill of tressoun, and to be callit and persewit as assistaris and favouraris of tratouris and commoun ennemeis to oure Soverane Lord

and this thair native cuntre, and to be puneist thairfoir with all regour in exempill of utheris.

Charge on the Sheref of Murray and Innermarky.

The quhilk day, my Lord Regent and Lordis of Secreit Counsale, understanding the greit troubill, discord, and contentioun standing within the boundis of the cuntre of Murray, groundit on the particular querrellis and gruge standing betwix Alexander Dunbar of Cumnok knycht, Sheref of Elgin and Fores, and Patrik Dunbar his sone and apperand air on the ane part; and Robert Innes of Innermarky, and Johnne Innes, callit Johnne the Sweitman, on the uther syde; quhilkis be thair convocationis on ather syde hes greitlie perturbit the publict peace and committit cruell slauchter, tending to brek the haill cuntre gif tymous remeid be nocht provydit. Thairfoir ordanis lettres to be direct to charge bayth the saidis partiis to compeir personalie befoir my Lord Regent and Lordis of Secreit Counsale, at Edinburgh, or quhair it sal happin thame to be for the tyme, upoun the tent day of November nixtocum, to underly sic directioun as salbe commandit and gevin thame, tuicheing the establissing of publict peace and quietnes in the cuntre, and eschewing of all forder occasioun of troubill in tyme cuming, under the pane of rebellioun and putting of thame to the horne. And gif thai failye thairin, the said day being bipast, to denunce thame rebellis and put thame to the horne, and to escheitt, etc.; and als to command and charge all and sindry oure Soverane Lordis liegis quhatsumevir, be oppin proclamatioun at the marcat croces of Abirdene, Banff, Elgin, Fores, Narne, Invernes, and all utheris places neidfull, that thai on na wyise put on armour, ryise, convocat thame selffis togidder, or tak part with ather of the partiis abonewrittin, in invasioun of utheris, in ony tyme to cum, under the pane to be repute haldin and estemit, as perturbaris of publict peace and quietnes, troublaris of the cuntre, makaris of insurrectioun aganis oure Soverane Lord and his authoritie; and to be callit puneist and persewit at particular diettis, for thair convocatioun and inobedience, conforme to the lawis of this realme and Actis of Parliament.

Apud Edinburgh, septimo Octobris, anno, etc. lxvii.

Sederunt. Jacobus Dominus Regens. Jacobus Comes de Mortoun. Alexander Dominus Hume. Patricius Dominus Lindesay.

Mr. Thomas Ramsay and men of Carraill.

Anent oure Soverane Lordis lettres rasit at the instance of Maister Thomas Ramsay, heretabill fewar of ane auchtane part of the landis of Kingisbarnis, lyand within the stewartrie of Fyff; makand mentioun that quhair, according to ane decreit obtenit be him befoir the Lordis of Sessioun aganis the tenentis of the saidis landis, decerning thame to remove thairfra, and lettres in the four formes rasit thairupoun, Robert Calvart, ane of the saidis tennentis, for his non obeysance of the command thairof, wes ordourlie denunceit rebell and put to the horne; and seing him to tak na regard to the proces thairof, bot in contempt of the samyn occupiand the saidis landis, and hantand and frequentand publictlie as he plesit,

the said Maister Thomas menit him to the Lordis of Sessioun thairupoun; and be thair deliverance obtenit utheris lettres, chargeing David Betoun of Creich stewart of Fyff and his deputtis, to serche seik tak and apprehend the said Robert Calvart, oure Soverane Lordis rebell, quhairevir he could be apprehendit within the boundis of the said Stewartrie, and to detene hald and keip him in suir firmance and captivitie, ay and quhill he wer presentit befoir the Justice and his deputtis, to be puneist for his contemptioun, as the saidis lettres at lenth proportis. At command quhairof, the said Stewart past and apprehendit the said Robert Calvart, rebell, of mynd to have empresonit him quhill he had bene presentit befoir the Justice, conforme to the command of the saidis utheris lettres. Nevirtheles, quhen he wes reposand him self in his jornay within the dwelling hous of Williame Annand, burges of Craill; William Bowsie, Johnne Reid, Thomas Bane, baillies of the said toun of Craill, Robert Arnot, Williame Bowsie youngar, Williame Kaa, Arthour Gray, Johnne Gray, Johnne Wemys, Thomas Corstorphin, George Corstorphin, eftir the sound of ane drum, ringing of thair commoun bell, and spreding of ane handsanze, to the nowmer of four hundrith personis or thairby, instructit with all maner of wappynis apt for weir, come to the said hous and circuit the same at all partis; and eftir the said Stewart producit his commissioun quhairfoir he apprehendit and put handis in the said Robert Calvart, thay be force in tiruing of the said hous, stryking and schuting of culveringis and Jedburgh staffis within the same, at the said Stewart and utheris his servandis in cumpany being thairintill, and in breking up of the durris and windois thairof, reft and tuke the said Robert Calvart, rebell, fra the said Stewart, and straik and dang David for executioun of the saidis lettres, albeit thai had na maner of jurisdictioun ordinair, nor commissioun thairto; declarand thairby thame selffis heich contempnaris of all authoritie, gude ordour, and justice, makand convocatioun expres contrair the tennour of the Actis of Parliament, and usurpand the rather the office of Princes nor liegis; quhilk, gif it be sufferit, all sutearis of the ordour appointit to be justice will have occasioun to desist thairfra, and to set furthwart thair rycht be the same meane,—quhilk the said Maister Thomas, ane persoun willing to leif under God and the establissing lawis and gude ordour observit within this realme, is na wyise willing to do, bot to seik redres be the ordinar magistrattis, as becummis trew liegis to do. And anent the charge gevin to the saidis personis to compeir personalie befoir my Lord Regent and Lordis of Secreit Counsall at ane certane day bigane, to answer to the said complaint, and upoun the contempt and usurpatioun of oure Soveranis authoritie committit be thame in maner abone rehersit; and to sustene and underly sic ordour as sould be thocht convenient for quieting of the cuntre, that na forder inconvenient follow thairin be way of deid under the pane of rebellioun and putting of thame to the horne; and gif thai failyeit thairin, the said day being bipast, to denunce thame rebellis and put thame to the horne lyke as at mair lenth is contenit in the saidis lettres. Quhilkis being callit befoir my said Lord Regent and Lordis of oure Secreit Counsale

being present at Dunbar upoun the ferd day of October instant; comperit personalie the said Maister Thomas Ramsay and all the remanent personis abone writtin—the saidis Johnne Wemys and Thomas Corstorphin exceptit. The ressonis and allegationis of bayth the partiis being hard sene and understand to my said Lord Regent and Counsale, and thai ryplie avysit thairwith, thay understanding the saidis personis to be callit to underly the law for the saidis crymes at ane particular diett, differrit all proceding aganis the personis abonewrittin comperand quhill the said day of law; except the saidis Williame Bowsie, Johnne Reid, and Thomas Bane, Baillies, quhilkis wer commandit to compeir befoir his Grace and Counsale at Edinburgh this instant sevint day of October; quhair thai comperand, and his Grace and Counsale foirsaid, considderand the said tumult and confusioun to have bene cheiflie attemptat throw the negligence and defalt of the saidis Baillies quhairthrow thai ar unworthy to enjoy thair offices ony langar, bot justlie meritis deprevatioun thairof besydes sic forder ordinar punisement as thair offenssis be the lawis of the realme deservis. Thairfoir my Lord Regent, with avyise of the Lordis of Secreit Counsale, in oure Soverane Lordis name and authoritie, depryvit and dischargeit the saidis thre Baillies personalie present of thair offices of baillierie of the said burgh for this instant yeir; and ordanis thame to compeir personalie in the tolbuyth of the said burgh befoir the commonitie thairof, and thair publictlie and solempnitlie to dimit thair saidis offices within xxiiii houris nixt eftir thai be chargeit thairto, under the pane of rebellioun and putting of thame to the horne. And gif thai failye thairin, the saidis xxiiii houris being bipast, to denunce thame rebellis and put thame to the horne, and to escheitt, etc. And nochtwithstanding the quhilk discharge and deprivatioun, my Lord Regent and Counsale foirsaid, na wyise willing to alter innovat or command onything quhilk may tend to the prejudice of the privilege of the said burgh; to command and charge the Counsall and utheris inhabitantis of the samyn burgh having vote in electioun of magistrattis within the samyn, to convene elect and cheise uther thre Baillies to serve for this yeir to cum within utheris xxiiii houris nixt eftir thai be chargeit thairto, under the said pane of rebellioun and putting of thame to the horne; and gif thai failye to put the dissobeyaris to the horne; and als to denunce the saidis Johnne Wemys and Thomas Corstorphin rebellis, and put thame to the horne; becaus thai wer chargeit under the said pane of rebellioun, and being oftymes callit comperit nocht.

Proclamation to pas to the sowth cuntrie.

The quhilk day, my Lord Regent and Lordis of Secreit Counsale understanding the dalie slauchteris, birning, fyre raising, oppin reffis, thiftis and depredationis committit be the dissobedient and rebellious personis inhabitantis of Liddisdaill, Ewisdaill, Eskdaill and utheris within the boundis of the Middill and West Wardaneriis of this realme, upoun the peciabill and gude subjectis of the Incuntre; throw the quhilk, nocht onelie oure Soverane Lordis propir landis, bot diverse utheris boundis is brint,

heriit, laid waist, and uttirlie distroyit, to the greit hurt of the commoun weill, and incourageing of thevis, rebellis, and tratouris, to continew in thair wickit and evill deidis, gif tymous remeid be nocht provydit. Thairfoir ordanis lettres to be direct, to command and charge all and sindrie Erllis, Lordis, Baronis, Frehalderis and Substantious Yemen, men within the boundis of the sherefdomes of Forfar, Perth, Fyff, Kinross, Clakmannane, Striveling, Lanerk, Linlythquow, Edinburgh principall and within the constabularie of Hadingtoun, Berwik, Selkirk, Roxburgh, and Peblis, alsweill Regalitie as Rialtie, that thai and ilk ane of thame, weill bodin in feir of weir, with xx dayis victuallis and provisioun eftir thair cuming, and with palyeonis to ly on the feildis, addres thame to meit my said Lord Regent or the Lieutenent to be appointit to that effect, at Peblis the viii day of November nixtocum; and fra thyne to pas furthwart and attend upoun his Grace, or utherwayis as thai salbe commandit, for invasioun and persute of the rebellious and dissobedient subjectis within the boundis abonewrittin and reduceing of thame to oure Soverane Lordis detfull obedience; and to remane for that purpois be the said space of xx dayis under the pane of tinsall of lyff, landis, and gudis.

To follow the army with victuallis.

The quhilk day, my Lord Regent and Lordis of Secreit Counsale, having appointit to ryde upoun the rebellious and dissobedient subjectis, thevis and tratouris, inhabitantis of the Middill and West Marches of this realme, for punissing of thame for the crymes and enormiteis committit be thame, and to reduce thame to our Soverane Lordis debtfull obedience; and neidfull it is that oure Soverane Lordis trew and faythfull subjectis quhilkis salbe convenit for that effect, be weill and sufficientlie furneist with victuallis and neidfull furnissing on thair expenssis. Thairfoir ordanis lettres to be direct, to charge the Provestis, Baillies, and inhabitantis of the burrowis and townis of Peblis, Drumfreis, Selkirk, Hawik, and Jedburgh, to prepair and have in reddines bakin breid, browin aill, hors meit, mannis meit and uther neidfull ludgeing and provisioun agane the viii day of November nixtocum; to be sauld and furneist to oure Soverane Lordis liegis on thair expenssis, as thai will answer on thair obedience and allegeance, and under the pane to be repute and haldin partakaris with the saidis thevis and tratouris in thair wickit deidis, and to be puneist with all regour in exempill of utheris.

Apud Edinburgh, octavo Octobris, anno Domini j^{m}v^{c}lxvii.

Sederunt. Domini ut in die predicto.

Renunciation of the Band subscrivit be the Galloway and Nithisdaile men.

The quhilk day, in presens of my Lord Regent and Lordis of Secreit Counsale; comperit Michaell Lord Carlile, Johnne Gordoun of Lochinvar, Thomas Makclellane of Bomby, Thomas Makculloch of Cardones, Roger Kirkpatrik of Closberne, Williame Kirkpatrik of Kirkmichaell, Thomas Kirkpatrik of Alisland,—and renuncit the band or bandis subscrivit be thame or ony of thame, with George Erll of Huntly, Johnne Lord Hereis,

and thair partakeris simpliciter, lyke as the saidis personis allegeit the said band to be dischargeit be thame of lang tyme bigane; and in takin thairof, subscrivit the band acknowlegeing the lauchfull coronatioun of oure Soverane Lord; quhairon thai askit instrumentis and documentis.

Apud Edinburgh, xvii die mensis Octobris, anno Domini $j^{m}v^{c}lxvii$.

Allane Watson.

Anent oure Soveranis Lordis lettres rasit at the instance of Allane Watsoun, burges of Sanctandrois, makand mentioun; that quhair the said Allane beand passand in the moneth of Julii last bipast to the port and hevin of Findorne, to have transportit and cariit certane victuallis fra the said port pertening to my Lord Regent to sic place as he plesit; and be storme of weddir he wes constranit to pas in Cromertie, quhair James Erll Bothuile and his complices maisterfullie and violentlie spulyeit and reft the said Allanis schip fra him, with the haill gudis and geir being thairintill, extending to the soum of ane hundrith pundis, by the apparaling of the said schip, and cariit hir with him quhair he plesit; quhairupoun the said Allane menit him to my Lord Regent of befoir, quha promeist to the said Allane that gif evir the said schip wer tane or come in Scotland agane, that he sould have hir agane; and failyeing thairof, he sould have the just avale of the samyn, of the reddiest gudis and geir pertening to the said Erll. And it is of veritie sensyne in the moneth of September last bipast, that Thomas Davidsoun, Johnne Hendirsoun, with utheris, marchandis, being in ane schip of Dunde, callit the James, for sercheing and seking of the said Erll Bothuile, hes apprehendit and tane the said Allane Watsonis schip foirsaid in ane sound of Zeitland fra his servandis, callit Robert Stevin, Johnne Small, Patrik Litiljohnne, and Eleise Forret, being void and desolat of the said Erll and his servandis except ane cuke; and brocht and cariit hir within this realme to the port of Dunde, quhair as yit the saidis personis maisterfullie and violentlie detenis and withhaldis hir fra the said Allane, and will on na wayis deliver the samyn to him agane to be broukit be him as his awin propir schip; and als hes spulyeit hir of hir haill geir and apparaling; and hes alreddie, or at leist intendis to rowpe and sell the said schip incontrair the dalie practik of this realme and justice. And anent the charge gevin to the saidis Thomas Davidsoun and Johnne Andirsoun, to restoir and deliver to the said Allane Watsoun the schip abonewrittin als gude as schö wes the tyme of the awaytaking of hir in the place abonespecifiit within thre dayis nixt eftir the charge, under the pane of rebellioun and putting of thame to the horne; or ellis to compeir within the samyn thre dayis befoir my Lord Regent and Lordis of Secreit Counsale, and schaw ane ressonabill caus quhy thai sould nocht do the same; with certificatioun and thai failyeit, lettres sould be direct to put thame to the horne, lyke as at mair lenth is contenit in the saidis lettres. Bayth the partiis comperand personalie, thair rychtis, ressonis, and allegationis being hard, sene, and understand to the saidis Lordis, and thai ryplie

avysit thairwith. My Lord Regent and Lordis of Secreit Counsall decernis and ordanis the saidis Thomas Davidsoun and Johnne Andirsoun, to restoir and deliver to the said Allane Watsoun his said schip, with hir takking and apparaling in sic stait as thai ressavit hir, according to the inventour remaning in the handis of Johnne Fothringhame, within xlviii houris nixt eftir the charge or requisitioun, under the pane of rebellioun and putting of thame to the horne; and gif thai failye thairin, the saidis xlviii houris being bipast, to denunce thame rebellis and put thame to the horne, and to escheitt, etc.; the said Allane payand and deliverand to the saidis Thomas and Johnne at the ressait of the said schip and grayth fra thame the soum of thretty pundis; and als that the personis quhatsumevir, havaris of the grayth of the said schip in thair handis, deliver the samyn to the saidis Thomas Davidsoun and Johnne Andersoun for thair releif; and that lettres be direct heirupoun alsweill aganis the said Thomas and Johnne, as for thair releif aganis the personis havaris and detenaris of the said schip grayth in thair handis, in forme as efferis.

Apud Edinburgh, xix die mensis Octobris, anno, etc. lxvii.

Sederunt. Domini ut in die predicto.

Provestrie of Coupar.

Anent oure Soverane Lordis lettres purchest be certane marchandis and inhabitantis of the burgh of Couper, makand mentioun; that quhair the privilegis and liberteis of the said burgh is prejugeit, abusit, and in extreme perrell of subversioun, throw the continewing of certane particular personis in the offices of Provest, Baillies, and Counsale thairof, be vertew and under cullour of prevat writtingis and chargeis impetrat upoun wrang and sinister informatioun, at the handis of the Quenis Grace, oure Soverane Lordis dearest moder in hir regnne; quhilk abusioun and confusioun hes now takin sic increment, that the auld Counsale having alwayis facultie to elect the new, thay cheis men of thair factioun, and swa haldis the publict offices and Counsale amangis a certane of particular men fra hand to hand, usand and disponand the commoun gude of the said burgh at thair plesour, to the greit skayth and detriment of the commoun weill thairof, and expres aganis all justice and lovabill custum of the burrowis of this realme. For remeid quhairof, the Baillies and Counsall quhilkis servit befoir the feist of Michaelmes last bipast being chargeit to desist and ceise fra all making of lytis or chesing of ony new officiaris for the yeir to cum; and als being chargeit to compeir befoir my Lord Regent and Lordis of Secreit Counsale, and to bring with thame all prevat lettres and chargeis purchest in tyme bipast, to be sene and considderit; and to heir and se ane perfyte ordour takin how the Provest, Baillies, Counsale, and utheris publict officiaris of the said burgh, mycht be electit and chesit according to the lawis of the realme and lovabill use of the said burgh, lyke as at mair lenth is contenit in the saidis lettres. Bayth the partiis comperand personalie, it was allegeit be the complenaris that gif the auld Counsale of the said burgh quhilkis wer intrusit at command of prevat chargeis sould be

permittit to cheise the new Counsale, thay wald nocht faill to elect men of thair awin factioun, and swa retene the administratioun of the commoun effaris of the said Burgh and the dispositioun of the commoun gude thairof amangis thair handis, secludand the remanent burgessis and inhabitantis of the said burgh thairfra, being nevirtheles the mair and bettir part thairof. And on the uther part, the defendaris comperand allegeit that gif the electioun sould be committit to the multitude, nocht onelie sould the lovabill privilege and custum of the said burgh—quhilk has bene alwayis that the auld Counsall chesit the new—be alterit and pervertit, bot als wickit and factious men placeit in the seit of justice. Quhairfoir my Lord Regent, eftir grave advyse and consultatioun with the Lordis of Secreit Counsale, considdering sum inconvenient in the desyris of bayth the partiis, gif ony of thame sould altogidder be grantit and condiscendit unto, and willing to remove the seditious factionis standing within the said burgh be ane newtrall and indifferent way, to the plesour of God, quieting of the said burgh and removing of the factionis furth of the samyn; commandit and ordanit ather of the saidis partiis complenaris and defendaris to nominat xv personis, quhilk on thair conscience thai thocht maist abill and indifferent, to be Provest, Baillies, and Counsale of the said burgh. Quhilkis personis being nominat be the saidis partiis hinc inde, my Lord Regent and Lordis of Secreit Counsale foirsaidis, finding bayth the partiis aggreing on the personis of Alexander Jamesoun, Alexander Ramsay, and Robert Pryde to be apt and qualifiit to brouke the offices abonewrittin, thairfoir my said Lord Regent and Counsale thocht the said Alexander Jamesoun maist meit to be Provost; Alexander Ramsay and Robert Pryde, twa of the Baillies; and thaireftir all the personis nominat in bayth the tickettis presentit be bayth the saidis partiis; nominat the personis following, viz., David Baxter, David Lindesay Rothissay Herauld, Waltir Crystesoun, Johnne Jamesoun, Allane Thomsoun, Johnne Lindesay, David Patirsoun, David Wrycht, David Welandis, and Johnne Dowglas, to be on the Counsale of the said burgh for the yeir to cum; and of the saidis ten personis electit and nominat the said David Welandis for the thrid Baillie, and the said Johnne Jamesoun for Dene of Gild. Quhilkis personis sua nominat for Provest, Baillies, and Counsale of the said Burgh, being notifiit and declarit to bayth the partiis, and thai aggreing and contenting with the nominatioun, my Lord Regent and Lordis of Secreit Counsale foirsaidis, ordanis and commandis the said last and auld Counsale of the said burgh of Couper, to convene in the tolbuyth thairof upon Fryday the xxiiii of October instant, and thair to elect the personis abonewritten in the new Counsale of the same for the yeir to cum; and thai being electit, that the saidis new and auld Counsales, with the Dekynnis of craftis and utheris that in tymes bipast hes had vote in electioun of the magistrattis of the said burgh, in the same tolbuyth, elect and cheis the personis abonewrittin in Provest, Baillies, and Dene of Gild for the yeir to cum; and that the said new Counsall elect ane of thair nowmer be commoun consent to be Thesaurare of the said burgh alsua for this instant yeir. Quhilkis Provest,

Baillies, Dene of Gild, Thesaurare, and Counsall being swa electit and nominat, my said Lord Regent and Lordis of Secreit Counsale abonewrittin ordanis thame to be repute, haldin, reverencit, and obeyit as lauchfull and ordinar magistrattis of the said burgh for the yeir to cum; and at the nixt feist of Michaelmes to have full and free vote in electing of the said new Counsall, and swa consequentlie of the utheris magistrattis, according to the ancient and lovabill custum inviolabillie observit within the said burgh in all tymes bigane, all requeistis or extraordinar chargeis quhatsumevir removit and set apart; provyding that the said Johnne Lindesay, allegit to be ane craftisman of the saidlar craft, befoir he be admittit on the said Counsall, renunce his craft and be admittit gild bruther; and that the ancient custum observit of befoir in that behalf be alwayis inviolabillie kepit heireftir without alteratioun of the privileges or lovabill custum of the said burgh in ony wyise.

Apud Edinburgh, xxiiii die mensis Octobris, anno, etc. lxvii.

Lord Yestir. Newhall.

Forsamekill as upoun the complaint of Williame Cokburne of Newhall, Williame Lord Hay of Yestir being callit befoir my Lord Regent and Lordis of Secreit Counsall, for the convocatioun of our Soverane Lordis liegis and awaytaking of certane cornis pertening to the said Williame furth of the ground of his landis of Newhall, as at lenth is contenit in the complaint gevin in thairupoun; the said Lord Yeistir wes committit in ward within the Castell of Edinburgh, and fra that upoun souertie within the burgh of Edinburgh, for eschewing of convocatioun and troubill that mycht have followit throw leding of the teindis of the saidis landis of Newhall; and last upoun the said Lordis desire, he wes lattin to libertie quhill the last day of November nixtocum, to the effect that than my said Lord Regent and Counsale mycht tak cognitioun and triall in the said mater. Thairfoir ordanis lettres to be direct to charge the saidis Lord Yeistir and Williame Cokburne of Newhall, to compeir befoir my Lord Regent and Lordis of Secreit Counsale at Edinburgh, or quhair it sal happin thame to be for the tyme, upoun the said last day of November, bringand with thame all thair rychtis and titillis quhairby thai clame the teind schaves of the saidis landis of Newhall to pertene to thame, to be sene and considderit; and to answer upoun the contempt and inobedience committit be thame and ather of thame in making of convocatioun and leding of the saidis teind schaves this instant yeir be way of deid; and to underly sic directioun and commandiment as salbe gevin thame for keping of gude rewll and quietnes in the cuntre in tyme cuming, under the pane of rebellioun and putting of thame to the horne; and gif thai failye thairin, the said day being bipast, to denunce thame rebellis and put thame to the horne, and to escheit, etc.; becaus complaint wes maid be ather of the saidis partiis heirupoun of befoir and na determinatioun as yit maid thairin.

Apud Hawik, primo die mensis Novembris, anno Domini millesimo quingentesimo sexagesimo septimo.

That nane gif bandis to Thevis.

Forsamekill as it is understand to my Lord Regent and Lordis of Secrete Counsall how the thevis and brokin men, inhabitantis of the cuntreis of Liddisdaill, Ewisdaill, Eskdaill, and utheris boundis of the Marches of this realme foranent Ingland, hes nocht onelie committit diverse thiftis, reiffis, heirschippis, and slauchteris upoun the peciabill and gude subjectis of the Incuntre, bot als hes takin sindry of thame and detenit thame as lauchfull presonaris, or ransont, or lattin thame to souertie to entir agane. And als diverse subjectis of the Inland hes takin assurance of the saidis thevis and brokkin men, sittand under the same, and payand blak maill to thame; permittand thame to reif herie and oppres thair nychtbouris in thair sycht without contradictioun or stop, committand thairthrow manifest treasoun, lese majestie, and usurpatioun of oure Soverane Lordis authoritie. For remeid quhairof and releif of the pover and ignorant people that throw misknawlege of the valu of sic unlauchfull bandis may heireftir entir thame selffis to the saidis thevis and brokin men; my Lord Regent, with avyise of the Lordis of Secreit Counsall, statutis and ordanis, that nane of oure Soverane Lordis liegis quhilkis hes bene takin, or heireftir salbe takin, with the saidis thevis and brokin men, nochtwithstanding ony unlauchfull band gevin or to be gevin, tak upoun hand to entir to the saidis thevis and brokin men or to lat ony of thame, being takin, to fredome on band; bot present thame befoir the justice to be puneist for thair demeritis, under the pane of tressoun, and to be repute haldin and persewit, as usurparis of our Soverane Lordis authoritie, and as favouraris assistaris and plane partakeris with the saidis thevis and brokin men, in thair thift and tressonabill deidis. And siclike that na persoun or personis tak upoun hand as principall or cautioun to warne charge or desire ony of oure Soverane Lordis liegis to ony sic entre, nor yit to crave or gif ony sowmes of money in name or under cullour of ransoum, directlie or indirectlie, under the pane foirsaid. And in likemanner, quhen ony cumpanyis of thevis or brokin men cummis ower the swyris within the Incuntre, that all our Soverane Lordis liegis dwelland in the boundis quhairthrow thai resort, incontinent cry on hie, raise the fray, and follow thame alsweill in thair inpassing as outpassing, on fute and horsis, and follow thame and the gudis reft and stollin be thame, for recovering and redding thairof, and concur with the awnaris of the saidis gudis or utheris followeris thairof—to that effect, under the pane to be repute callit persewit and punissit, as gif thai committit the thift reif or enormitie thame selffis,—at justice airis or particular diettis quhilkis salbe purposlie set and assignit for this effect, at the desire of ony partie complenar; and that lettres be direct for publicatioun heirof at the marcat croces of Jedburgh, Hawik, Selkirk, Peblis, Drumfreis, and all utheris places neidfull, that nane pretend ignorance of the samyn.

Apud Edinburgh, sexto Novembris, anno, etc. lxvii.

Sederunt. Jacobus Dominus Regens. Jacobus Comes de Mortoun. Patricius Dominus Lindesay. Secretarius. Thesaurarius. Clericus Registri. Clericus Justiciarie.

Scottis. Peiblis. Anent oure Soverane Lordis lettres purchest at the instance of Andro, Williame, and Issobell Scottis, the pover bairnis of umquhile Andro Scot, now bayth fadirles and modirles, makand mentioun; that quhair umquhile Thomas Scott of Cambusmichaell, thair fader brother, quha wes laitlie justifiit to the deid for the allegeit art and part of the slauchter of umquhile David Riccio; quhilk umquhile Thomas wes awand to thame the soum of fyve hundrith four scoir ten markis money ressavit be him in keping fra thair said umquhile fader, to be furthcumand to him for his lyftyme and eftir his decise to thame, as the said umquhile Thomas obligatioun under forme of actis schawin beris. And albeit the Quenis Majestie disponit the gift of the escheit of the said umquhile Thomas awin propir gudis, to Issobell Peblis his relict, and to the bairnis gottin betuix thame, gratis without compositioun, that sould nocht prejuge the saidis complenaris of the money quhilk he had in keping of thame allanerlie; and anent the charge gevin to the said Issobell Peblis, Patrik Scott hir onelie barne and Diones Concreour his curatour, to have comperit befoir my Lord Regent and Lordis of Secrete Counsall this day, bringand with thame the said gift, and to answer at the said complenaris instance in the said mater lyke as at mair lenth is contenit in the saidis lettres. The saidis complenaris comperand be Henrie Balcanquell thair moder bruther, and the said Issobell Peblis, Patrik Scott hir sone and his curatour foirsaid, being oftymes callit and nocht comperand. My Lord Regent and Lordis of Secrete Counsale continewis the said mater in the samyn forme force and effect as it is now, but prejudice of partie, to the xxii day of November instant; and ordanis lettres to be direct to charge the said Issobell Peblis, Patrik Scott hir sone and his curatour abonewrittin, to compeir the said day, bringand with thame the said gift of escheit, and to answer at the instance of the saidis complenaris, eftir the forme and tennour of the said principall lettres and summondis in all pointis, under the pane of rebellioun and putting of thame to the horne; with certificatioun to thame and thai failye, the said day being bipast, thay sall incontinent thaireftir be denunceit rebellis and put to the horne, and all thair movabill gudis eschetit and inbrocht to oure Soveranis use for thair contemptioun, becaus thai wer chargeit to have comperit to the effect abonewrittin and dissobeyit.

Sureties for Teviotdale men. The quhilk day, James Heriott of Trabroun become souirtie for Williame Dowglas of Cavers, Robert Ker youngar burges of Edinburgh souertie for Walter Ker of Dolphingtoun, Williame Stewart of Cabristoun souertie for Richard Rutherfurd of Edgarstoun, and the said Williame Dowglas of Caveris souertie for James Gledstanis of Coklaw, that the saidis personis sall entir thair personis in ward within the Castle of Blakness,—thair to

remane upoun thair awin expenssis ay and quhill thai be fred be my Lord Regent—within xxiiii houris, under the panis following; that is to say, the said Williame Dowglas of Cavers under the pane of ii^{m} markis; the said Walter Ker of Dolphinstoun under the pane of i^{m} ℔.; the said Richert Rutherfurd of Edgarstoun under the pane of i^{m} markis; and the said James Gledstanis of Cocklaw under the pane of i^{m} markis.

The quhilk day, Andro Rutherfurd youngar of Hundoley wes chargeit in presens of my Lord Regent and Counsall, to remane in ward within the burgh of Edinburgh, ay and quhill he be relevit be my Lord Regent and Counsall, under the pane of tressoun.

The quhilk day Andro Rutherfurd youngar of Hundoley and Robert Fraser of Overtoun become souerteis, conjunctlie and severalie, to entir Mathow Fraser, servand and tenent to the said Robert, to my Lord Regent and Lordis of Secreit Counsall quhen or quhair it sall pleis thame upoun viii dayis warning, under the pane of v^{c} markis.

The quhilk day, James Heriott of Trabroun become souertie for Thomas Turnbull of Hassindenbank, that he sall remane in ward within the burgh of Edinburgh on his awin expenssis, ay and quhill he be relevit, under the pane of v^{c} markis.

The quhilk day, Robert Scott of Thirlstane and Maister Thomas Westoun, in name and behalf of Sir Walter Scott of Branxholme knycht, tuke instrumentis of the entres of Williame Ellott callit Archeis Will in Gorumbery and Sym Ellot in Dodburne, for the quhilkis the said Walter wes souertie and protestit that he sould be relevit.

Apud Edinburgh, septimo Novembris, anno, etc. lxvii.

Charge on certane men of Teviotdale.

Forsamekill as diverse complaintis being maid to my Lord Regent and Lordis of Secreit Counsall of the attemptat committit be the subjectis of this realme, inhabitantis within the boundis of the Middill and West Marches thairof, upoun the liegis of Ingland, at Newtoun, in the moneth of Julii or thairby last bipast, be plane forray and oppin oist upoun fair day lycht, to the brek and distrubling of the publict peace and quietnes standing betuix the realmis. My Lord Regent for the sauftie of the inconvenient and danger quhilk thairupoun in all apparence wes lyke to follow, enterit ane servand of his awin in Ingland for the said attemptat unto sic tyme as the committaris thairof mycht be apprehendit, quhilkis on na wayis will redresse the said attemptat according to the law of Marches without thai be compellit; and Dame Jonet Betoun Lady Bukcleuch, being chargeit to entir and present Dand Ker in Scheilstokbrayis hir hous-

haldman and servand, and Davidsoun of Birnyrig being chargeit to entir and present James Davidsoun his sone, under the pane of rebellioun, and gif thai failyeit to put thame to the horne; bayth contempnandlie dissobeyit, and swa justlie incurrit the said pane of rebellioun. Nevirtheles my Lord Regent and Lordis of Secreit Counsall, na wayis willing to execute the said charge gif the personis abonewrittin will obey the charge gevin thame according to thair dewitie; thairfoir ordanis lettres to be direct to charge the said Dame Jonete Betoun yit as of befoir, to entir and present the said Dand Ker, and the said Dant Davidsoun, to compeir personalie him self befoir my said Lord Regent and Counsale upoun the thrid day nixt eftir thai be chargeit thairto, under the pane of rebellioun and putting of thame to the horne; and gif thai failye thairin, the said thrid day being bipast, to denunce thame rebellis and put thame to the horne, and to escheit, etc. And als to charge Sir Thomas Ker of Pharnyhirst knycht on quhais landis and within his baillieris the personis underwrittin dwellis, viz., James Turnbull in Stenleche, Arche Turnbull sone to Thomas Turnbull in Hartishauch, Arche Turnbull in Langraw, Robert Turnbull in Swanscheill, George Turnbull in Catlie, Hector Turnbull in Vowley, Stephen Turnbull sone to Watt Turnbull in Hova, David Scheill youngar in Langraw, David Scheill in Fodderlie, Thomas Turnbull callit blew Thome, Walter Turnbull callit the Flour, Adame Turnbull in Westwod, and Johnne Wauch in Auldjedburgh, to present thame or ony twa of thame. And to charge Walter Turnbull of Hopisburne bruther to David Turnbull of Wauchop, to compeir personalie, bringand and present- and his man and servand callit David Scott. And siclyke to charge the said David Turnbull of Wauchop, to compeir personalie, bringand and presentand Adame Lyle his man and servand, and to charge Thomas Turnbull of Harwodtoun alswa bruther to the said David, to entir and present Ingra Oliver his man and servand. And in lik maner to charge George Turnbull of the Toftis, to compeir personalie; Walter Ker of Cesfurd and Thomas Ker his sone, to present the said Dand Ker of Scheilstokbrayis, as dwelland upoun thair landis; and rychtswa to charge Williame Anyslie of Fawlaw, to compeir personalie, bringand with him and presentand George Fawlaw thair, Johnne Fawlaw and Watt Fawlaw his sonnis thair, Johnne Bard thair, James Anyslie thair, Adame Anyslie callit Adie the Quhaip thair, Williame Anyslie callit Williame the bastard thair, Percie Hall of the Buss thair, Johnne Hall his sone thair; David Hume of Weddirburn, to entir and present Hector Turnbull in Turnbull brother to George Turnbull, Robert Turnbull callit Issobellis Robene thair, Oliver and Oliver plewmen to the said George thair, Part Pursell thair, Adame Turnbull sone to Sande Turnbull thair,—befoir my Lord Regent and Lordis of Secrete Counsall foirsaidis, upoun the thrid day nixteftir thai be chargeit thairto, under the pane of rebellioun and putting of thame to the horne; and gif thai failye thairin, the said thrid day being bipast, to denunce thame rebellis and put thame to the horne, and to escheit, etc.

Apud Edinburgh, decimo Novembris, anno, etc. lxvii.

Inhibition to answer my Lord Halirudehous of the fruittis of Orknay.

Forsamekill as be report maid to my Lord Regent and Lordis of Secrete Counsall, it is understand that Robert Commendatare of Halieruidhous, be vertew and under pretense of ane pretendit heretabill infeftment of the landis, lordschip, and erledome of Orknay, being ane part of oure Soverane Lordis propirtie, intendis to intromet and uptak the rentis, proffettis, and dewiteis of the samyn; oure Soverane Lord and his Majesteis Comptrollar, in his name, being in reall, in actuall possessioun thairof, and na wyis put thairfra be order of law and justice. Thairfoir my Lord Regent, with avyise of the Lordis of Secrete Counsall, ordanis lettres to be direct, to inhibit the said Commendatare and his Chalmerlanis quhatsumevir, of all craving, ressaving, intrometting, or uptaking of the frutis, rentis, proffittis, and dewiteis of the saidis landis, lordschip, and erledome of Orknay, and to discharge the tenentis and occupiaris of all payment thairof to thame, quhill it be decydit befoir the Lordis of Counsall and Sessioun to quhome the samyn justlie pertenis, under pane of payment of the samyn ower agane, bot that the saidis tenentis occupiaris reddelie answer, intend, obey, and mak thankfull payment to the said Comptrollar and Johnne Balfour his Chalmerlane of the saidis rentis, proffittis, and dewiteis as thai have done in tymes bigane, quhill the said decisioun befoir the Lordis of Sessioun, under all hieast pane, charge, injurie, and offence that thai and ilkane of thame may commit and inrin aganis oure Soverane Lord in that behalf.

Minart Freis. Richard Henderson.

Anent oure Soverane Lordis lettres purchest be Mynart Freis servand to the King of Sweden; makand mentioun that quhair in the moneth of Apprile last bipast, he complenit to the Quenis Grace upoun certane liegis of this realme, Scottismen, quhilkis of befoir had takin his schip fra him namit the Bonaventure;—in speciall Sir Walter Dowary alias Robertsoun and Richert Hendirsoun in Prestoun; quhilkis being chargeit to compeir befoir my Lord Regent and Lordis of Secrete Counsall at ane certane day bigane, to answer to the said complaint, as the lettres direct thairupoun and execution thairof at mair lenth proportis. Comperit personalie the said Mynart Freis, and als Richert Hendirsoun in Prestoun; and the said Sir Walter being oftymes callit and nocht comperand; my Lord Regent and Lordis of Secrete Counsall continewis the said mater in the samyn forme force and effect as it is now, but prejudice of partie, unto the xx day of November nixtocum; and ordanis lettres to be direct to charge the said Walter yit as of befoir, to compeir personalie the said day, to answer to the said complaint under the pane of rebellioun and putting of him to the horne; and gif he failyeis thairin, the said day being bipast, to denunce him rebell and put him to the horne, and to escheit, etc.; the said Mynart and Richert Hendirsoun warnit heirto apud acta.

Apud Edinburgh, xii die mensis Novembris, anno, etc. lxvii.

Lord Newbottill. Sherefhall.

Anent the lettres purchest be James Giffert youngar of Sherefhall; makand mentioun, that quhair his fadir, he and his predecessouris, hes bene and ar auld and kyndlie tenentis and possessouris of the eist and west mylnis of Newbottill, with the mylne landis, multuris, suckin, and thair pertinentis thir mony yeris bigane, be sindry nynetene yeris takkis set unto thame be the Abbottis and Conventis of Newbottill for the tyme, and yit ar in possessioun thairof, being evir willing and content to do and satisfie for few or new takkis thairof ressonablie eftir the valour of the samyn; nevirtheles, Mark now Commendatare of Newbottill, on his maner, hes gevin and set in fewferme to his spous and bairnis be ane myd persoun, the saidis mylnis ower the heid of the said James, kyndlie tenent and possessour thairof, tending thairthrow to disposses him of the samyn without ony just caus or occasioun; and anent the charge gevin to the said Commendatare and his spous, to compeir befoir oure Soverane Lordis Regent and Lordis of Secrete Counsall at ane certane day bigane, to answer to the said complaint, and to heir and se the samyn tryit and ordour put thairto as appertenis of justice equitie and ressoun, lyke as at mair lenth is contenit in the saidis lettres; quhilkis being callit this instant day, my Lord Regent and Lordis of Secrete Counsall, considdering the day of the samyn lettres to be of lang tyme bipast, continewis thairfoir the mater in the samyn forme force and effect as it is now, but prejudice of partie, quhill the xviii day of November instant; and ordanis lettres to be direct to charge the said Mark Commendatare of Newbottill and his said spous foirsaid, yit as of befoir, to compeir befoir my Lord Regent and Lordis of Secrete Counsall the said xviii day of November, to answer to the said complaint, eftir the forme and tennour of the first lettres direct in the said mater, under the pane of rebellioun and putting of thame to the horne; with certificatioun to thame and thai failye, lettres salbe direct to charge thame simpliciter thairto; and als to warne Sir Richard Maitland of Lethingtoun knycht, the Secretar, Thesaurare, Maister Johnne Spens of Condy oure Soverane Lordis Advocat, Alexander Hay and Petir Hewatt writtaris, to compeir and be present the saidis day and place to the effect abonewrittin, as thai will answer to oure said Soverane Lord thairupoun.

Apud Edinburgh, xviii die mensis Novembris, anno, etc. lxvii.

Sederunt. Jacobus Dominus Regens. Jacobus Comes de Mortoun. Joannes Comes de Mar. Patricius Dominus Lindesay. Wilelmus Dominus Ruthven. Secretarius. Thesaurarius. Computorum Rotulator. Clericus Registri. Clericus Justiciarie.

Matthew Stewart. Levingstoun.

Anent the complaint presentit to my Lord Regent and Lordis of Secrete Counsall, be Mathow Stewart brother germane to Johnne Stewart of Cragyhall, aganis Margaret Cokburne and Maister Archibald Skene hir spous; desyring that owther my Lord Regent will tak befoir him

and the Lordis of Secrete Counsall foirsaid, bayth the actionis, alsweill persewit aganis the said Matho for removing fra the landis of Crawmond Riegis, as aganis Johnne Lawsoun of Lochtullo and James Levingstoun for abyding fra the oistis and armeis ordanit to pas to Glasgow and Drumfreis in the yeir of God j^{m}v^{c} thre scoir fyve yeris; and to ordour the same actionis according to equitie and gude conscience; or ellis that it wald pleis my said Lord Regent, to command the lawes to be patent alsweill to the said Matho as unto thame; and to that effect to gif command to the Justice Clerk and his deputtis, to proceid in the said caus aganis the said Johnne Lawsoun and James Levingstoun; and the Advocattis to persew the same in oure Soverane Lordis name, nochtwithstanding ony contramand gevin or to be gevin in the contrair, lyke as at mair lenth is contenit in the said complaint. And anent the charge gevin to the saidis Margaret Cokburne and Maister Alexander Skene hir spous, to answer to the samyn complaint, quhilkis and the said Mathow comperand all personalie, and thair ressonis and allegationis hard and understand to the saidis Lordis, and thai ryplie avysit thairwith; my Lord Regent and Lordis of Secrete Counsall understanding the said James Levingstoun to have speciall interesse in the said mater, continewis the same in the samyn forme force and effect as it is now, but prejudice of partie, unto the xxiiii day of November instant; and ordanis lettres to be direct to charge the saidis James Levingstoun, Margaret Cokburne, and Maister Alexander Skene hir spous, to compeir the said xxiiii day, bringand with thame all thair assedationis, rychtis, and titillis, quhairby thai allege and clame rycht and kyndnes to the landis of Crawmond Riegis mentionat in the said complaint, and to answer to the same as appertenis; with certificatioun to thame and thai failye, my Lord Regent and Lordis foirsaidis will proceid to the taking of ordour anent the same complaint, as accordis of justice, equitie, and ressoun; and that the officiar executour of the saidis lettres deliver to the said James Levingstoun the copy of the said complaint, to the effect that he may be reddie to answer to the samyn the said day.

Souertie for David Davidsoun.

The quhilk day, Andro Rutherfurd youngar of Hundoley, become souirtie for Andro alias Dand Davidsoun of Birnyrig, that he sall remane in ward within the burgh of Edinburgh, and in na wayis eschaip furth of the samyn, quhill he be fred and relevit be my Lord Regent, under the pane of v^{c} ℔.; and my Lord Regent relevit the said young Lard of Hundoley of his warding within the samyn burgh, and grantit him libertie to depart at his plesour.

Souertie for Gawin Rutherfurde.

The samyn day, Richard Rutherfurd of Edyarstoun become souertie that he sall entir Gawin Rutherfurd in Bredley, Johnne Laidlaw in Bromebalkis, and Laurence Patirsoun in Edyarstoun mylne, to the Wardane of the Middill Marches of this realme, at quhatsumevir day or dayis to be appointit be him, to answer for all attemptattis committit be thame upoun

the subjectis of Ingland in tyme bigane, or to be committit be thame in tyme cuming, sa lang as thai or ony of thame remanis men tenentis or servandis to him, or failyeing of thame, sall entir him self to the said Wardane for his releif at all tymes neidfull, under the pane of twa thowsand pundis; and Andro Rutherfurde youngar of Hundoley, and Williame Stewart of Cabristoun, ar becum souerteis, conjunctlie and severalie, for the said Richert, for performing of the premisses, under the pane abonewrittin.

Oliver Sinclair. Andro Lamb.

Anent oure Soverane Lordis lettres purchest be Andro Lamb, indwellar of Leyth; makand mentioun, that quhair he at his greit expenssis and travellis conqueist and coft to David Lamb his sone, the landis of Polmure, with the pertinentis, liand within the sherefdome of Edinburgh and constabularie of Hadingtoun, be vertew quhairof his said sone and he in his name hes broukit the samyn, and bene in possessioun thairof thir diverse yeris bipast lyke as thai are yit, he havand the heretabill titill thairof; nevirtheles Oliver Sinclair of Petcarne and Williame Bussat his servand, with utheris his servandis and complices, bodin in feir of weir, in the moneth of August or thairby last bipast, come to the saidis landis, and thair persewit and invadit Alexander Lamb, sone to the said Andro,—being for the tyme in sobir maner on the feild awaytand on the scheraris—for his slauchter, and ran him throw the cloik and thre of his hois and enterit in the flesche with ane speir. And lykewayis continewand in his wraith and malice aganis the said Andro, the said Oliver, with his servandis and complices, bodin as said is, come to the said Androis dwelling hous of the saidis landis, he being thairin for the tyme, under silence of nycht about midnycht on Sonday at evin the xxi day of September instant, and thair awaitit gif he mycht have fund the said Andro or ony of his bairnis for thair slauchter; and being frustrat of that his wickit purpois he past to the said Androis fauldis, and thair tuke furth and cariit away with him the said Androis haill oxin and cattell being fra him, and maisterfullie detenis the samyn fra him; as alsua the said Oliver hes committit mony utheris wrangis and enormiteis at sindry utheris tymes aganis the said Andro quhilk wer ower lang to reherse, but ony occasioun movit be him. And anent the charge gevin to the said Oliver, to compeir befoir my Lord Regent and Lordis of Secrete Counsall at ane certane day of lang tyme bigane, to have answerit to the said complaint, and to heir and se ordour takin thairanent, according to justice and equitie, lyke as at mair lenth is contenit in the said complaint; the said Andro Lamb comperand personalie, and the said Oliver Sinclair being oftymes callit and nocht comperand, my Lord Regent and Lordis of Secrete Counsall understanding the day of comperance of the saidis lettres to be of lang tyme bipast, continewis thairfoir the said mater in the samyn forme, force, and effect as it is now; and ordanis lettres to be direct to charge the said Oliver Sinclair yit as of befoir, to compeir personalie befoir my said Lord Regent and Lordis of Secrete Counsall, upoun the thrid day nixt eftir he be chargeit thairto, to answer to the said complaint,

and to heir and se ordour takin thairanent for eschewing of all occasioun of troubill and unquietnes in the cuntre, under the pane of rebellioun and putting of him to the horne; and gif he failyeis thairin, tha said thrid day being bipast, to denunce him rebell and put him to the horne, and to escheit, etc., becaus he wes chargeit heirto of befoir under the said pane of rebellioun and dissobeyit.

Apud Edinburgh, xxiiii die mensis Novembris, anno Domini j^{m}v^{c}lxvii.

Charge on Westhoussis.

The quhilk day, my Lord Regent, with avyise of the Lordis of Secrete Counsale, for certane ressonabill caussis and considderationis moving thame, ordanis lettres to be direct, chargeing Williame Ormistoun in Westhoussis, Kathrene Nysbett his spous, and all utheris personis, halderis keparis and detenaris of the hous and peill of Westhoussis, to rander and deliver the samyn, with the volt and barmkin thairof, to the officiaris executouris of the saidis lettres, within sex houris nixteftir the charge, under the pane of tressoun; with certificatioun to thame and thai failye, thay salbe repute haldin and estemit as tratouris, and the proces of forfaltour salbe led aganis thame, conforme to the lawis of this realme and Actis of Parliament.

Apud Edinburgh, xxvi die mensis Novembris, anno, etc. lxvii.

Discharge of Culveringis.

Forsamekill as, be the use of culveringis daggis pistolettis and uther sic ingynis of fyrewerk, nocht onelie ar the lovabill Actis and constitutionis of this realme in politik thingis violat and transgressit, bot men cowartlie and schamefullie murtherit and slane that utherwayis wer abill anewch to mak defence for thame selffis at all occasionis of persute, quhairof the lait attemptat committit within this burgh of Edinburgh hes gevin sufficient pruif; seing all the personis hurt at the same hes ressavit thair hurtis for the maist part be the occasioun of the saidis pistolettis and fyrewerkis. For eschewing of the quhilk abuse and disordour, my Lord Regent, with avyise of the Lordis of Secrete Counsall statutis and ordanis, that na maner of persoun or personis, of quhat estait, degre, or conditioun that evir thai be of, presume or tak upoun hand to schute with culveringis, daggis, pistolettis, or ony utheris gunnis or ingynis of fyrewerk, in ony part of this realme, nowther to burgh nor to land, for ony maner of caus or occasioun; nor that nane beir, weir, nor use culveringis, daggis, pistolettis, nor sic uther ingynis of fyrewerk upoun thair personis, or in thair company with thame privatlie or opinlie outwith houssis, under the pane of deid. With certificatioun to all that dois in the contrair, or that salbe fund berand, werand, or havand in thair possessionis, or in thair cumpanyis, ony of the saidis culveringis, daggis, pistolettis, or sic uther fyreworkis, thay salbe takin, apprehendit, callit, accusit, unlawit, and puneist as gif thai had committit recent slauchter with thair handis. And that the Justice Clerk and his deputtis direct lettres, for calling of all personis

delaitit and suspectit of wering, bering, and using of culveringis, daggis, pistolettis and sic uther fyre werkis, to underly the law thairfoir at particular diettis, and proceid aganis thame als summarlie as gif thai had committit recent slauchteris in maner foirsaid. Provyding alwayis, that the capitanis and men of weir serving oure Soverane Lord, and actuallie under his Hienes wageis, nor the Provest, Baillies, and inhabitantis of the burgh of Edinburgh or utheris burrowis chargeit to wapingschawingis, assembleis, or conventionis for furthsetting of oure Soverane Lordis service, in the tyme of thair service, be nocht comprehendit under this present ordinance; nor yit nane of oure Soverane Lordis liegis in thair cuming, remaning, or departing to or fra ony generall oistis, armeis, raidis, weris, wapingschawingis, or assembleis, being specialie and expreslie commandit and chargeit to that effect be our Soverane Lordis lettres and authoritie; and that lettres be direct for publicatioun heirof in dew forme, sua that nane pretend ignorance of the samyn.

Apud Edinburgh, xxvii Novembris, anno, etc. lxvii.

Youston. Moscrop. Anent the supplicatioun presentit be Williame Youstoun burges of Edinburgh, aganis Maister Johnne Moscrop advocat, and Kathrene Littill his spous, desyring thame to be compellit to exhibit and produce Agnes Moscrop thair dochter and spous to the said Williame, befoir my Lord Regent and Lordis of Secrete Counsale, within thre dayis nixt eftir the charge, under the pane of rebellioun and putting of thame to the horne; or ellis to compeir upoun the thrid day nixt eftir the charge, and schaw ane ressonabill caus quhy thai sould nocht do the samyn; with certificatioun to thame and thai failyeit, ane uther charge sould be direct to put thame to the horne, lyke as at mair lenth is contenit in the said supplicatioun. The said Williame Youstoun comperand personalie; and the said Maister Johnne for him self and his said spous, comperand alsua personalie, denyit the having and resetting of the said Agnes, being rebell and at the horne, nor yit that schö is reset or mantenit presentlie in ony place be thair fortificatioun or manteinance; quhilk the said Williame offerit him to preif. Thairfoir my Lord Regent, with avyise of the Lordis of Secrete Counsale, continewis the said mater, in the samyn forme force and effect as it is now, but prejudice of partie, unto the ferd day of December nixtocum; and ordanis the maser of Counsall to charge all sic personis as the said Williame will gif in bill, to compeir the said day, to beir leill and suythfast witnessing in sa far as thai knaw or salbe sperit at thame, in the said mater, under the pane of rebellioun and putting of thame to the horne, with certificatioun to thame and thai failye, thai salbe denunceit thairto.

Apud Edinburgh, primo Decembris, anno, etc. lxvii.

Sederunt. Jacobus Dominus Regens. Jacobus Comes Mortoun. Joannes Comes de Atholl. Alexander Comes de Glencarne. Joannes Comes de Mar. Joannes Magister de Grahame. Alexander Dominus Hume. Patricius Dominus Lindesay. Robertus Dominus Sympill. Dominus Lovett. Episcopus Orchadensis. Dunfermling. Balmerynoch. Secretarius. Thesaurarius. Computorum Rotulator. Clericus Registri.

Cunynghame. Montgomery.

The quhilk day, Patrik Houstoun of that Ilk become souertie for Williame Cunynghame of Aiket and Alexander Cunynghame his sone and apperand air, that Neill Montgomery of Langschaw, his kin freindis servandis and partakeris, salbe harmeles and skaythles of the said Williame and Alexander, and all that thai may let, bot as law will; but fraud or gyle; under the pane of ii^{m} lĩ.; and the said Williame and Alexander obleist thame, conjunctlie and severalie, to releve the said Patrik of the premissis.

Apud Edinburgh, quarto Decembris, anno, etc. lxvii.

Ruthvennis. Banff.

The quhilk day, my Lord Regent and Lordis of Secrete Counsale, understanding the greit troubill, discord, and contentioun standing within the boundis of Angus, groundit on the particular querrell and grudge, standing betuix Johnne Creichtoun of Ruthvennis, and George Ramsay of Banf on the uther part; quhilkis be thair convocationis and effusioun of utheris bludis on ather syde hes greitlie perturbit the publict peace, tending to brek the haill cuntre gif tymous remeid be nocht provydit. Thairfoir ordanis lettres to be direct, to charge bayth the saidis partiis to compeir personalie befoir my Lord Regent and Lordis of Secrete Counsall at Edinburgh, or quhair it sal happin thame to be for the tyme, upoun the thrid day nixt eftir thai be chargeit thairto, to underly sic directioun as salbe commandit and gevin thame twicheing the establissing of publict peace and quietnes in the cuntre, and eschewing of all ferder occasioun of troubill in tymes cuming, under the pane of rebellioun and putting of thame to the horne. And gif thai or ony of thame failye thairin, the said thrid day being bipast, to denunce the dissobeyaris oure rebellis and put thame to the horne, and escheit, etc. And als to command and charge all oure Soverane Lordis liegis be oppin proclamatioun at the marcat croces of Forfar and Perth, and all utheris places neidfull, that thai on na wayis put on armour, ryise, convocat thame selffis togidder, or tak part with ather of the partiis abonewrittin in invasioun of utheris, in ony tyme to cum, under the pane to be repute haldin and estemit as perturbaris of the publict peace and quietnes, troublaris of the cuntre, makaris of insurrectioun aganis oure Soverane Lord and his authoritie; and to be callit, puneist, and persewit at particular diettis for thair convocatioun and inobedience, conforme to the lawis of this realme and Actis of Parliament.

Apud Edinburgh, nono Decembris, anno, etc. lxvii.

Montgomery. Cunynghame. The quhilk day, James Dowglas of Drumlangrig knycht, become souertie for Neill Montgomery of Langschaw, that Williame Cunynghame of Aikett and Alexander Cunynghame his sone and apperand air, thair kin freindis servandis and partakeris, salbe harmeles and skaythles of the said Neill and all that he may latt, bot as law will; but fraud or gyle; under the pane of ii^{m} ℔.; and the said Neill obleist him to releve the said James of the premissis.

Apud Edinburgh, xiii Decembris, anno, etc. lxvii.

Proclamatioun afoir the Parliament. Forsamekill as ane Parliament now approcheis, quhairat the greittast part of the nobilitie and subjectis of this realme ar to be present, for treating and concluding upoun the effairis tending to the glorie of God, the furthsetting of oure Soverane Lordis authoritie, and establissing of gude and neidfull lawis in this commoun weill. And to the effect that sa gude a purpois sall nocht be hinderit be ony motioun, tuilye, or perturbatioun, bot quietlie and ordourlie to proceid; my Lord Regentis Grace, with avyise of the Lordis of Secrete Counsale, ordanis lettres to be direct, chargeing all and sindry oure Soverane Lordis liegis presentlie cum, or that sal happin to repair and cum to this present Parliament, during all the tyme thairof, owther in thair cuming, remaning, or departing; that thai, nor nane of thame, presume or tak upoun hand to invaid or persew utheris in word, deid, or countenance, owther for auld feid or new, or ony uther occasioun, bot observe oure peace without brek or impediment; and that thai weir na maner of wappynnis or armour, offensive nor defensive, within oure said burgh during the tyme of the said Parliament and quhill the dissolutioun thairof, sauffing thair swerdis and quhinyearis, under the pane of deid; certifeing thame that beis fund doand in the contrair, the said pane of deid salbe extremelie execute upoun thame without favour or exceptioun; the inhabitantis of the said burgh, the men of weir and sic utheris expreslie appointit to keip gaird as use is onelie exceptit. Certifeing alsua all personis that hes ony thing to propone, or gif in to the said Parliament, that thai may frelie and without all perrell propone and present the samyn in decent and gude ordour; quhilkis salbe intreatit and discussit according to the ancient and lovabill maner usit in the tymes of our Soverane Lordis maist nobill progenitouris.

Apud Edinburgh, xxii die mensis Decembris, anno, etc. lxvii.

Sederunt. Jacobus Dominus Regens. Georgius Comes de Huntly. Archibaldus Comes de Ergyle. Jacobus Comes de Mortoun. Joannes Comes de Atholl. Joannes Comes de Mar. Alexander Comes de Glencarne. Georgius Comes de Caithnes. Comes de Erroll. Alexander Dominus Hume. Patricius Dominus Lindesay.

Willelmus Dominus Ruthven. Robertus Dominus Sympill. Dominus Glammis. Joannes Dominus Invermeyth. Dominus Saltoun. Dominus Yeistir. Episcopus Orchadensis. Episcopus . Dunfermling, Melrose, Balmerynoch, Newbottilll. Secretarius. Thesaurarius. Computorum Rotulator. Clericus Registri. Clericus Justiciarie.

James Luvel.

Anent oure Soverane Lordis lettres purchest be James Lovell, Richert Blyth, George Rollok, James Weddirburne, and Alexander Carnegy, Burgessis of Dunde; makand mentioun, that quhair in the moneth of September, the yeir of God j^{m}v^{c} thre scoire fyve yeris, the Quenis Grace cumand to the said Burgh, schew hir self heichlie offendit at the inhabitantis of the samyn, for thair abyding fra the oist and army appointit to have past to Glasgow in the moneth of August immediatlie preceding, and sic utheris caussis as than schö wes displesit with; for satisfactioun of quhais indignatioun and for licence to abyde fra the raid appointit to pas to Drumfreis thaireftir, compositioun wes maid for the Toun be payment of the soum of fourtene hundrith pundis, and the saidis complenaris exceptit furth of the samyn—the saidis James Lovell, George Rollok, and Richert Blyth, being thre of the baillies for the tyme—for the particular offence committit be thame; bot becaus thai buir publict offices quhairthrow thai wer constranit thaireftir to compone for thair releif be payment of greit and large sowmes of money as is notourlie knawin, nevirtheles the Provest Baillies Counsall and Communitie of the said burgh hes payit the said soum of xiiii^{c} lĭ. partlie with thair commoun gude and partlie be borrowit money; for the quhilk thai pay interes quhill the commoun gude may be abill to pay the samyn, and compellis the saidis complenaris to stent and contribute with thame for payment of the saidis entres; and on na wayis will tak the lyke ordour and provisioun for payment of the sowmes payit be the saidis complenaris in particular, thay being all put at for a cause, that wes the favour suspectit thai buir to sic of the nobilitie as wes prosequutit be the Quenis Grace for the tyme. And anent the charge gevin to the Provest, Baillies, Counsall and Communitie of the said Burgh, to convene and tak ordour and provisioun for payment of the sowmes debursit be the saidis complenaris lyke as is done for the said soum of xiiii^{c} lĭ.; swa that thai may be relevit of thair greit skayth far exceding thair nychtbouris being all in ane caise lyke as at mair lenth is contenit in the saidis lettres direct thairupoun. The said Provest and ane part of the Counsale of the said burgh comperand in presens of my Lord Regent and Counsall, and thair ressonis and allegationis hard, sene and considderit; my Lord Regent, with avyise of the Lordis of Secrete Counsale, ordanis lettres to be direct, chargeing the Provest Baillies Counsall and Communitie of the said burgh, to convene and tak triall and inquisitioun quhat sowmes wer payit be the saidis complenaris or ony of thame to the Quenis Grace hir Thesaurare, or ony utheris in hir name, for the caus abonespecifiit at the tyme abonewrittin, and to tak ordour for

payment of the sowmes debursit be thame in maner foirsaid, lyke as is done for payment of the said soum of fourtene hundrith pundis; swa that thai may be relevit of the compositioun payit be thame far exceding thair nychtbouris being all in ane caise, within sex dayis nixt eftir thai be chargeit thairto under the pane of rebellioun and putting of thame to the horne; and gif thai failye thairin, the saidis sex dayis being bipast, to denunce the dissobeyaris rebellis and put thame to the horne, and escheit and inbring all thair movabill gudis to oure Soveranis use for thair contemptioun.

Apud Edinburgh, xxvii die mensis Decembris, anno, etc. lxvii.

Erl of Huntly presentit the Seillis.

The quhilk day, in presence of my Lord Regentis Grace and Lordis of Secrete Counsall, comperit ane nobill and michtie Lord George Erll of Huntly, Lord Gordoun and Badyenoch, and according to the charge and commandment gevin him, presentit and producit the twa greit seillis underwrittin, viz., the ane of silver with the portratures of Frances and Marie, and this circumscriptioun about the same: "Franciscus et Maria dei gratia Rex Regina Scotorum Delphinus Delphina Viennenses," with ane stamp couplit with ane chenye of silver thairto having ingraffit thairin the armes of Scotland; and the uther of the saidis seillis of tyn in twa halffis having on the ane syde the Quenis portrature ingraffit with this circumscriptioun: "Maria Dei gratia Regina Scotorum Dotariaque Francie;" on the uther syde the armes of Scotland and France dividit equalie in ane scheild with this circumscriptioun: "Salvum fac populum tuum Domine." Upoun the productioun presentatioun and deliverance of the quhilk seillis, and full satisfactioun and obedience of the commandiment abonewrittin gevin for that effect, the said Erll of Huntlie askit instrumentis and documentis.

Alexander Blair and his wyff.

The quhilk day, Alexander Blair youngar of Bathiok and George Drummond of Blair, become actit and obleist conjunctlie and severalie for Alexander Blair of Freirtoun, that Jonete Kincragy spous to the said Alexander salbe harmeles and skaythles of him and all that he may lett in tyme cuming, under the pane of fyve hundrith markis; and als that he sall ressave the said Jonete in hous, and treit sustene and interteny hir honestlie as becumis ane honest man to do to his wyff in tyme cuming; and als the said Alexander sall pay to the said Jonete the sum of sextene pundis for hir expenssis and sustentatioun the tyme begane, viz., the half of the said soum of xvi ℔. at Uphalimes, and the uther half at Fastrenis Evin; and siclike the saidis personis ar becum souerteis that the bairnis gottin betwix hir and umquhile David Lindesay hir first husband salbe thankfullie answerit and payit of thair bairnis part of geir, quhairunto thai have rycht as law will; and in caise ony questioun or querrell arryissis in tyme cuming betuix the saidis Alexander and Jonete, thay ar content to

submit the jugement thairof to Patrik Lord Lindesay of the Byris, and Maister James Halieburtoun Provest of Dunde, towart the haill premissis; and the said Alexander Blair obleist him to releve his saidis souerteis of the premissis; and that for him, his airis, executouris and assignayis.

Apud Edinburgh, penultimo die mensis Decembris, anno, etc. lxvii.

Sederunt. Jacobus Dominus Regens. Georgius Comes de Huntly. Archibaldus Comes de Ergile. Joannes Comes de Atholl. Jacobus Comes de Mortoun Cancellarius. Joannes Comes de Mar. Georgius Comes de Erroll. Alexander Comes de Glencarne. Joannes Magister de Grahame. Alexander Dominus Hume. Patricius Dominus Lindesay. Willelmus Dominus Ruthven. Patricius Dominus Gray. Dominus Saltoun. Joannes Dominus Invermeyth. Alexander Episcopus Galloway. Adam Episcopus Orchadensis. Commendatarius Dunfermling. Commendatarius de Newbottill. Commendatarius de Balmerynoch. Secretarius. Thesaurarius. Computorum Rotulator. Clericus Registri. Clericus Justiciarie.

Conclusion anent the halding of Justice airis.

The quhilk day, the nobilitie and Lordis of Secreit Counsale abone writtin being convenit, my Lord Regentis Grace proponit unto thame how he wes placeit in the office of Regentrie of this realme and liegis thairof during the minoritie and les aige of the King our Soverane Lord, and according to his dewitie wes maist willing to execute his office be administratioun of justice to all our Soverane Lordis liegis, requirand thairfoir the saidis Lordis avyise and opinioun in quhat maner he sould begin and proceid. The saidis Lordis, all in ane voce, eftir mature deliberatioun, allowit my Lord Regentis Grace meaning, and ernistlie desyrit him to follow furth the same intentioun; and for thair counsall and advise thocht best he sould hald justice airis ower all this realme, and first to begin at the sherefdomes of Dumbartane, Renfrew, and Lanark in Lentern, and about Witsonday to pas to the north; and everie nobilman promeist bayth to inqueir and delait the principall offendouris, and siclyke to tak a certane of the maist notorious, that justice mycht be execute upoun thame for thair demeritis in exempill of utheris.

Bill of Newtoun.

The quhilk day, the nobilitie and Lordis of Secreit Counsall foirsaidis, fand gude and expedient that my Lord Regentis Grace, sould caus tak the maisteris of the personis foull in the bill of Newtoun and deliver thame in England, gif thai redressit nocht for the said bill.

Makdouell.

The quhilk day, Alexander Makdowell of Steidrig, obleist him self to entir Williame Ormistoun, brother to James Ormistoun of that Ilk, to my Lord Regentis Grace, betuix and this day fyftene dayis, or than to entir him self.

Conclusioun anent the personis suspect of the Kingis murthur.

The quhilk day, the nobilitie and Lordis of Secreit Counsale abonewrittin, findis gude and expedient, that Johnne Hay youngar of Tallo, Johnne Hepburne callit of Boltoun, George Dalgleische and Williame Powry,—presentlie being in ward within the Castell of Edinburgh as suspect of the murthour of umquhile the King, fader to our Soverane Lord,—salbe put to the knawlege of ane assyise for the said cryme, and justice execute upoun thame conforme to the lawis of this realme.

Peiblis. Bairnis of Andro Scott.

Anent oure Soverane Lordis lettres purchest at the instance of Andro Williame and Issobell Scottis, the pover bairnis of umquhile Andro Scott, now bayth fadirles and modirles, and Henry Balcanquell thair moder brother and curatour; makand mentioun, that quhair umquhile Thomas Scott of Cambusmichaell thair fader brother, quha wes justifiit to the deid for the allegeit art and part of the slauchter of umquhile David Riccio, Italian, wes awand to thame the sowme of fyve hundrith four scoir ten markis money ressavit be him in keping fra thair said umquhile fader, to be furthcumand to him for his lyftyme, and eftir his deceise to thame, as the said umquhile Thomas obligatioun under forme of actis schawin to my Lord Regent and Lordis of Secreit Counsall beris. And albeit the Quenis Grace, our Soverane Lordis dearest moder disponit the gift of the escheit of the said umquhile Thomas awin propir gudis to Issobell Peblis relict of the said umquhile Thomas, and to the bairnis gottin betuix thame, gratis without ony compositioun, that sould nocht prejuge the saidis complenaris of the money quhilk he had in keping of thame allanerlie, nor yit wes it the Quenis Majesteis mynd that thair geir quha had nevir offendit, thai being yit pupillis, sould be takin frome thame under cullour of the said gift of escheit; lyke as hir Grace upoun the xviii day of Apryle the yeir of God $j^{m}v^{c}lxvii$ yeris declarit hir mynd thairanent undir hir hand writt; lyke as alsua Maister Williame Scott of Balwery knycht, ane of the purchessouris of the said gift, declarit to the said Issobell at the purchessing thairof that schö sould be subject to rander to the saidis complenaris thair said money, as schö diverse tymes thaireftir promesit to do the samyn to the said Henry Balcanquell thair moder brother and curatour foirsaid in thair name. Nochttheles, schö and Patrik Scot hir onelie barne, and Diones Concreour his curatour postponis to rander to the saidis complenaris the said sowme, tending to enryche thame selffis with the saidis complenaris gudis, quhilkis nowther come nor mycht cum under the said gift of escheit, to mak hir and hir said sone of bettir conditioun nor thai wer of befoir, to the saidis complenaris havie dampnage and skayth; and anent the charge gevin to the saidis Issobell Peblis, Patrik Scot hir sone, and the said Diones Concreour his curatour, and all utheris his tutouris and curatouris, gif he ony hes, to compeir befoir my Lord Regent and Lordis of Secreit Counsale at ane certane day bigane, with continewatioun of dayis, bringand with thame the said gift, to be sene and considderit be his Grace and Lordis of Secreit Counsale, and forder to answer at the saidis complenaris instance; and, the premissis being fund of veritie, to heir and se hir, hir

sone and his tutouris and curatouris foirsaidis for thair interessis, decernit be decreit of the saidis Lordis, to rander, content, and pay, to the saidis Andro, Williame, and Issobell, the said sowme of fyve hundrith four scoir ten markis, or ellis to schaw ane ressonabill caus quhy the samyn sould nocht be done; with certificatioun to thame and thai compeir nocht and allege and verifie ane ressonabill caus, the saidis Lordis will decerne thame to pay the samyn and put sic ordour heirintill as appertenis according to justice, lyke as at mair leuth is contenit in the saidis lettres, executioun and indorsatioun thairof. The saidis Andro, Williame, and Issobell Scottis comperand be the said Henry Balcanquell, thair moder brother and curatour, the saidis Issobell Peblis and Diones Concreour comperand personalie, and the said Patrik Scot being oftymes callit and comperand be his tutour and curatour Dioneis Concreour and Maister Johnne Scharp thair procuratour; the rychtis, ressonis, and allegationis of bayth the saidis partiis being hard, sene and understand to the saidis Lordis, and thai ryplie avysit thairwith, togidder with the declaratioun of Sir Williame Scot of Balwery knycht, and utheris famous witnessis—quhilk Sir Williame wes nocht onelie ane of the purchesseris of the said gift bot be command of my Lord Regent and Lordis of Secreit Counsale ernistlie travellit for aggreing and appointing of the saidis partiis. My Lord Regentis Grace and Lordis of Secreit Counsale decernis and ordanis the said Issobell Peblis, Patrik Scot hir sone, and Diones Concreour his tutour and curatour for his interes, to rander, content and pay to the saidis Andro, Williame, and Issobell Scottis, and to the said Henry Balcanquell thair moder brother and curatour, in thair name and to thair behuif, the sowme of four hundrith markis money of this realme, within the space of four yeris eftir the dait heirof, viz.; everie yeir ane hundrith markis, and the first term of payment to be at the feist of Witsonday nixtocum; and swa yeirlie, the sowme of ane hundrith markis at the term abonewrittin, quhill the compleit payment of the said sowme of iiii^{c} markis. And in the menetyme quhill the full and compleit payment of the said sowme, ordanis the said Issobell Peblis to sustene the saidis bairnis in meit, drink, and clething, upoun the proffeit and brok of the said sowme without diminutioun of the principall; providing that howsone the first twa hundrith markis beis payit, the said Issobell salbe relevit of ane of the sustentatioun of the saidis bairnis; and gif ony questioun arryise towart the executioun or interpretatioun of this present decreit, the decisioun thairof onelie to appertene to the saidis Lordis of Secreit Counsall, and that lettres of horning or poinding be direct at the will of the persewar heirupoun in dew forme as efferis.

Beatrice Levingtoun.

Anent the complaint presentit to my Lord Regentis Grace and Lordis of Secreit Counsall be Beatrice Levingtoun, makand mentioun that quhair schō hes ane assignatioun maid to hir of the sowme of fourty markis money of this realme yeirlie during hir liftyme, to be payit to hir of the reddiest of the frutis of the Abbay of Paslay and of the thridis thairof, be ordinance and decreit of the Lordis of Secreit Counsale, as my Lord Regent

and Lordis did se in writt; and forder that conforme thairto the foirsaid Beatrice wes and is in the possessioun of resaving and uptaking of the said sowme of fourty markis money of auld, and bayth afoir the cuming in Scotland of the Quene and thaireftir, evir sen hir cuming thairin unto the yeir of God j^{m}v^{c}lxvi yeris inclusive; quhilk sowme alsua hes bene weill allowit to hir in the Chekker, as the extractis and copyis of the rollis and comptis thairof likewyis dois testifie; and that nevirtheles Maister Michaell Cheisholme now of new maid collectour of the saidis frutis or thridis of the Abbay of Paslay, desyris and requiris ane charge and command to be gevin to him of new to mak payment to hir of the foirsaid sowme alsweill of the crope and yeir of God j^{m}v^{c}lxvii yeris, as alsua in tyme to cum afoir he sall mak hir payment thairof. My Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, eftir the sicht and consideratioun of the foirsaid wryte contening the decreit foirsaid, and alsua of the extractis of the comptes and rollis of Chekker foirsaidis, togidder with the assignatioun maid to the said Beatrice and hir possessioun of the foirsaid sowme of fourty markis, and that the same wryte wes worne and auld; ordanis and commandis of new the foirsaid sowme of fourty markis money assignit to hir in maner abonewritten to be payit to hir yeirlie of the frutis of Paslay and of the reddiest of the thridis and frutis thairof, at twa termis in the yeir, Witsonday and Martimes, during hir liftyme; begynnand and continewand the payment of the said sowme of fourty markis money to be payit to the said Beatrice at the crope j^{m}v^{c}lxvii yeris howsone the samyn is gottin in; and swa furth yeirlie during hir liftyme; gevand and grantand to hir power to sell and dispone the said assignatioun and sowme of fourty markis during hir liftyme to ony persoun or personis as schö sall pleis best; and that lettres be gevin and directit be the Lordis of Sessioun, for compelling the said Maister Michaell Cheisholme and all utheris factouris, intromettouris and collectouris of the foirsaidis frutis of Paslay and thridis thairof present and to cum, to pay to hir the foirsaid sowme of fourty markis money yeirlie during hir liftyme; and this decreit and ordinance to be sufficient for the same for the tyme present and to cum without schawing of ony uther writt heireftir; commanding and ordaining the auditouris of the Chekker, present and to cum, to allow the said sowme of fourty markis money, to the foirsaidis factouris intromettouris and collectouris, in thair comptis of Chekker, alsweill present as to cum, at the sicht of this Act, ordinance, and decreit, the same being anis produceit and registrat in thair bukis as use is.

Apud Edinburgh, ultimo die mensis Decembris, anno Domini j^{m}v^{c}lxvii.

Sederunt. Domini ut in die predicto.

Erll of Huntlie. The quhilk day, in presens of my Lord Regentis Grace and Lordis of Secreit Counsale, George Erll of Huntlie Lord Gordoun and Badyenoch produceit and deliverit twa greit seillis, the ane of silver with the ymagis of Frances and Marie, and the circumscriptioun "Franciscus et Maria Dei Gratia Rex

Regina Scotorum Delphinus Delphina Viennenses," with ane stamp on the bak thairof; the uther seill in tyn of twa halffis on the ane syde the Quenis portrature, with this circumscriptioun: "Maria Dei Gratia Regina Scotorum Dotariaque Francie"; on the uther syde the armes of Scotland, with this circumscriptioun: "Salvum fac populum tuum Domine;" and the said Erll of Huntlie protestit that he had obeyit and fulfillit the command of the lettres direct aganis him anent the delivering of the saidis seillis.

Ordour for the Counsell.

The quhilk day, my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, appointit Twysday and Fuirsday owlklie to the reding and delivering of all billis and complaintis, and Settirday to the decerning of the law of oblivioun.[1]

Nicolson. Anderson.

Anent oure Soverane Lordis lettres purchest be Johnne Nicolsoun in Ochtertyre, makand mentioun; that forsamekill as Thomas Andersoun in Crannislawis, allegeand that he hes be gift of oure Soverane Lord the escheit of all the said Johnne Nicolsonis gudis and geir, the said Thomas, Reyne Fyff, and Andro Andersoun at the Mylne of Newtyld, with thair complices, hes enterit in the said Johnne Nicolsonis housis and intromettit with the samyn; and on na wayis will suffir him entir thairin, his wyff beand laitlie deliverit of chyld, and the same chyld unbapteist,—to his utter wrak and heirschip. And anent the charge gevin to the saidis personis, to devoid thame selffis furth of the said Johnne Nicolsonis hous and desist fra all intromissioun with his gudis and geir in tyme cuming be vertew and cullour of the said pretendit escheit, within xxiiii houris next eftir the charge, under the pane of rebellioun and putting of thame to the horne; or ellis that thai upoun the thrid day nixt eftir the charge, compeir personalie befoir my Lord Regent and Lordis of Secreit Counsale at Edinburgh, or quhair it sal happin thame to be for the tyme, and schaw ane ressonabill caus quhy thai sould nocht do the samyn; with certificatioun to thame and thai failye, the said thrid day being bipast, thai salbe denunceit rebell

[1] Reference seems to be here made to the adjustment of the sittings of a committee of the Estates, having certain special duties. In the Register House there are some scattered minutes of their proceedings under the name of "Domini Interpretatores of the Law of Oblivion." In the Introduction some notices will be found of the three great Parliamentary Committees: the Lords of the Articles, the Lords Auditors, and the Lords of the Council. The Interpreters of the Law of Oblivion are connected with the occasional Acts of Oblivion or Indemnity passed by the Estates after periods of turbulence or civil war. In 1560 an Act of Oblivion was passed in very minute, and at the same time comprehensive terms, covering all acts done by any subject of the realm from the 6th day of March 1558 to the 1st of September 1561. A large committee of members from all classes of the Estates is appointed by the Act. If on any question pending between private parties, before any court of law, the law of oblivion is pleaded, the relevancy of the plea must be tried by this committee (Act. Parl. Scot. vol. iii. p. 335-7). In a thin volume in the Register House are some fragments of what appear to have been the transactions of this committee. They are in general mere questions of succession or claim, with all the detailed statements of fact common to such cases. The jealousy of the Estates, however, in all political questions, and especially on questions connected with treason and forfeiture, would not leave questions of civil rights to the judges appointed by the Crown, if it happened that the settlement of these rights might bring into discussion any plea as to the application of the Act of Oblivion.

and put to the horne, lyke as at mair lenth is contenit in the saidis lettres. The saidis Johnne Nicolsoun and Thomas Andersoun comperand personalie, and the saidis Reyne Fyff and Andro Andersoun being oftymes callit and nocht comperand, the said Johnne Nicolsoun allegeit that he had payit the dewitie, for non payment quhairof he wes put to the horne befoir the executioun of the same horning, and produceit ane acquittance thairupoun daitit befoir the said executioun; and forder allegeit that the said Thomas, the tyme of the impetratioun of the said pretendit gift of escheit, reportit bayth to my Lord Regentis Grace and to oure Soverane Lordis Thesaurare that he socht the same to the behuif of the said Johnne Nicolsoun and na utherwayis, quhilk the said Thomas Andersoun denyit, and alsua tuke in hand to impreif the said acquittance. My Lord Regent and Lordis of Secreit Counsale, considdering the contraversy standing in the said mater, remittis the decisioun thairof to the Lordis of Counsall and Sessioun; and in the menetyme quhill the decisioun of the samyn, ordanis the said Johnne Nicolsoun to find souertie that his gudis and geir salbe furthcumand to the said Thomas Andersoun as law will, in caise it be fund be decreit of the saidis Lordis of Counsale and Sessioun that he hes gude rycht thairto be vertew of the said gift of escheit; and the said souertie being fund, ordanis lettres to be direct, chargeing the saidis Thomas Andersoun, Reyne Fyff, and Andro Andersoun, to devoid thame selffis furth of the said Johnne Nicolsonis housis, and desist fra all intromissioun with his gudis and geir in tyme cuming be vertew and under cullour of the said pretendit gift of escheit; and gif thai haif alreddy intromettit with ony part of the saidis gudis and geir to restoir the samyn agane to the said Johnne within thre dayis nixteftir the charge, under the pane of rebellioun; and gif thai failye thairin, the saidis thre dayis being bipast, to denunce thame rebellis and put thame to the horne, and to escheit, etc.

Apud Edinburgh, tertio Januarii, anno Domini j^{m}v^{c}lxvii.

Cautio for Nicolson. The quhilk day, Maister James Halieburtoun, Provest of Dunde, become souertie for the said Johnne Nicolsoun eftir the forme of the said decreit.

Apud Edinburgh, nono Januarii, anno, etc. lxvii.

Sederunt. Jacobus Dominus Regens. Jacobus Comes de Mortoun. Joannes Comes de Athole. Georgius Comes de Caithnes. Joannes Comes de Mar. Robertus Dominus Sympill. Willelmus Dominus Ruthven. Joannes Dominus Glammis. Patricius Dominus Lindesay. Hugo Dominus Lovett. Edwardus Dominus Sanquhair. Alexander Dominus Saltoun. Joannes Dominus Flemyng. Willelmus Dominus Levingstoun. Commendatarius Dunfermling. Commendatarius Coldinghame. Commendatarius Melrose. Episcopus Orchadensis. Thesaurarius. Computorum Rotulator. Clericus Registri.

Burgh of Dundee. Anent the supplicatioun presentit to my Lord Regent and Lordis of Secreit Counsall be the Provest, Baillies, and inhabitantis of the Burgh of Dunde;

makand mentioun, that quhair, at the occasioun of the tumult that happynnit upoun the gait of Edinburgh betuix thair nychtbouris and the inhabitantis of Sanctjohnnestoun in the tyme of the lait Parliament, James Wedderburne and George Michell, burgessis of Dunde, and Williame Rysie, berare of the handsenye thairof, wer commandit to remane in Edinburgh, and on na wayis to depart quhill tryall wer takin and it fund in quhais defalt the said tumult happynnit. Sen the quhilk tyme diverse witnessis hes bene examinat in the mater, and anent the commandiment gevin to Sir Symon Prestoun of that Ilk knycht Provest of Edinburgh, to present the depositionis of the saidis witnessis, the samyn being presentit and red in presens of my said Lord Regentis Grace and Lordis of Secreit Counsale, and thai ryplie avysit thairwith. My Lord Regent and Lordis of Secreit Counsale findis and declaris that the saidis James Wedderburne, George Michell, and William Rysie, nor nane utheris thair nychbouris, inhabitantis of the said burgh of Dunde wer, or ar ony wayis culpabill of the occasioun of the said tumult, or of ony thing committit the tyme thairof, decernand thame fre and innocent of the samyn in all tymes cuming, swa that thai may frelie depart hame at thair plesour, nochtwithstanding the said commandiment gevin thame to remane in maner foirsaid.

Apud Edinburgh, decimo quinto Januarii, anno Domini lxvii.

Makdowell. The quhilk day, my Lord Regentis Grace, with avise of the Lordis of Secreit Counsall, dischargeit and relevit Alexander M^cDowell of Steidrig of the Act maid upoun the penult day of December last bipast, in respect of his infirmitie to the effect he mycht pas in France to seik remedy thairof.

Malcolme Steuart. The quhilk day, James Montgomery of the Bar, Robert Montgomery his brother, Hew Montgomery and Johnne Montgomery brethir, James Montgomery sone to the Laird of Braidstane, Cuthbert Montgomery officiar, Adame Hammiltoun brother to Williame Hammiltoun of Bonn Muir and Robert Mure,—being oftymes callit and not comperit befoir my Lord Regent and Lordis of Secreit Counsale, as thai that wer chargeit to that effect be vertew of oure Soverane Lordis lettres purchest be Robert Gilleis in Bigholme; my Lord Regentis Grace thairfoir, with avise of the Lordis of Secreit Counsale, ordanit the saidis lettres to be put to executioun, and the personis abone written to be denunceit oure Soverane Lordis rebellis, and put to the horne, and all thair movabill gudis to be escheit and inbrocht to his Majesteis use, eftir the forme and tennour of the saidis lettres.

Apud Edinburgh, xx Januarii, anno lxvii.

Sederunt. Jacobus Dominus Regens. Jacobus Comes de Mortoun. Georgius Comes de Caithnes. Patricius Dominus Lindesay. Willelmus Dominus Ruthven. Episcopus Galloway. Commendatarius Dunfermling. Secretarius. Thesaurarius. Clericus Registri. Clericus Justiciarie.

Hutounhall. Humby. Anent oure Soverane Lordis lettres purchest be Robert Lawsoun of Humby and George Hume of Spott, makand mentioun; that quhair the Lordis of

Counsale decernit umquhile James Lawsoun of Humby and the said George to pay to umquhile Johnne Hume of Hutounhall and Alexander Hume his sone, the sowme of thre hundrith pundis sterling, as for the ransoum of Edward Dudley, Inglisman, be vertew of thair obligatioun maid thairupounn; and thaireftir transferrit the said decreit in the said Robert Lawsoun as sone and air to the said umquhile James Lawsoun; and becaus the saidis complenaris knawis that be the peace takin betuix France and England, comprehending Scotland thairintill, it wes provydit that all pressonaris and plegeis takand or haldin in ony of the realmis, sould be in all haist frelie put to libertie; and that the interpretatioun of the said peace maist propirlie pertenit to the Secreit Counsale; the saidis complenaris in the moneth of Maii, the yeir of God $j^{m}v^{c}lxvi$ yeris, menit thame to our Soverane Lordis dearest fader and moder and thair Secreit Counsall, for suspensioun of the executioun of the saidis decreittis, seing that thai had thair releif to be socht aganis the said presonar befoir the Commissionaris of England and Scotland quhen thai sould chance to be depute or convenit for the commoun effaris of bayth the realmis; and that the said presonar takin befoir the said treatie of peace wald allege that he aucht to brouke the privilege thairof, and be fre of ransoun; be the quhilk as the saidis complenaris doubtis nocht bot the saidis Commissionaris will find that the saidis complenaris and the said presonar ar and wer fre of the said ransoun be the said treatie quhilk wer sufficient to tak away and suspend the saidis decreittis, upoun the quhilk uther supplicatioun our said Soverane Lordis dearest fader and moder upoun the last day of Maii the yeir of God j^{m} v^{c} lxvi yeris—myndit to observe the said peace and nocht to call the same in doubt throw ony claus specifiit in thair obligatioun—suspendit the executionis of the saidis decreittis and all arreistmentis and inhibitionis past thairupoun unto the tyme that the Commissionaris to be depute be bayth the sydis of the realmis on the Bordouris tak ordour thairanent; and dischargeit all officiaris and of thair offices, and gif neid wer, decernit lettres to be direct thairupoun. And thaireftir the saidis complenaris, for corroboratioun of the said ordinance, presentit the samyn to the Secreit Counsall upoun the xiiii day of Junii thaireftir, the yeir of God foirsaid, quha on the bak of the samyn deliverit and fand the same ordinance to be ressonabill, and to haif place and to be admittit quhairsoevir it be produceit, as the said deliverance subscrivit be sevin of the Secreit Counsall beris. And now the saidis complenaris ar informit that thair partie intendis to poind thair gudis thairfoir, and hes alreddie, contrair the tennour of the said ordinance, poindit for ane part thairof eftir the dait of the samyn, quhairby it is necessar to thame to haif lettres conforme to the said ordinance to suspend all poinding, inhibitioun, and arreistment rasit upoun the saidis decreittis; and to discharge all officiaris and of thair offices in that part, of ony forder proceding, without prejudice of the saidis complenaris actioun of thair gudis alreddie poindit. And anent the charge gevin to the said Alexander Hume, to compeir befoir my Lord Regent and Lordis of Secreit Counsale at ane

certane day begane, to answer to this complaint, and to heir and se ordour takin thairanent as efferis, as the saidis lettres execution and indorsation thairof, at mair lenth proportis. The said Robert Lawsoun comperand personalie with Maister Richert Strang his prelocutour, and als the said Maister Richert comperand as procuratour for the said George Hume of Spott, and siclyke the said Alexander Hume comperand alsua personalie with Maister Thomas Makcalyeane his prelocutor, the richtis ressonis and allegationis of bayth the partiis being herd sene and undirstand. My Lord Regent and Lordis of Secreit Counsall findis na sufficient caus nor occasioun quhy thai sould suspend the executioun of the said decreit gevin be the Lordis of Counsall and Sessioun in maner foirsaid, bot that the said Alexander Hume may, at his plesour, execute the samyn, conforme to the lawis of this realme, nochtwithstanding the suspensioun abone specifiit, subscrivit be the Quenis Grace, and umquhile the King hir husband and be certane Lordis than of the Secreit Counsale. Quhilk suspensioun on na wayis aucht or sould hinder, delay, or stop the executioun foirsaid in ony tyme heireftir, and that in respect that hir Grace umquhile the King hir husband and Lordis of thair Secreit Counsall for the tyme,—upoun sic complaint proponit for the saidis persewaris and answeris maid thairto be the said Alexander, of the dependence of the said summondis of reductioun intentit be the saidis persewaris for reductioun of the foirsaid first decreit,—remittit the said complaint to the saidis Lordis of Sessioun, quha hes decydit thairupoun, as wes cleirlie understand to my said Lord Regentis Grace and Lordis of Secreit Counsale be inspectioun of ane decreit gevin be the saidis Lordis of Sessioun, absolvitour fra the summondis of reductioun foirsaid, produceit be the said Alexander; and als in respect of diverse utheris caussis and ressonis proponit be him, considerit be my Lord Regent and Lordis foirsaidis.

Apud Edinburgh, xxiiii Januarii, anno Domini j^{m}v^{c}lxvii.

Sederunt. Domini ut in die predicto.

Cautio for David of Cavilling.

The quhilk day, Johnne Edmonstoun of that Ilk become cautioun and souertie that Dand Ellot of Cavilling sall remane in ward upoun this syde of Tweid, and on na wayis eschew nor transcend the saidis boundis quhill he be relevit, under the pane of v^{c} ℔.

Apud Edinburgh, ultimo Januarii, anno, etc. lxvii.

Sederunt. Jacobus Dominus Regens. Joannes Comes de Atholl. Georgius Comes de Caithnes. Patricius Dominus Lindesay. Dominus Boyd. Willelmus Dominus Ruthven. Commendatarius Dunfermling. Commendatarius Balmerynoch. Secretarius. Thesaurarius. Clericus Registri.

Stewart. Levingtoun.

Anent the debait and contraversy standing betuix Mathow Stewart brother germane to Johnne Stewart of Cragyhall and James Levingtoun in Camno,

anent the kyndnes of the kirklandis of Crawmond Regis clamit be ather of the saidis partiis; the hering of the quhilk mater being committit to Maister Johnne Hay Commendatare of Balmerynoch, Maister of Requeistis to oure Soverane Lord, and Maister Johnne Wod senatour of the College of Justice, thay reportit the samyn alsweill be word as in writting to my Lord Regent and Lordis of Secreit Counsale this day. Quhilk being done, and the said James, Margaret Cokburne, and Maister Alexander Skene hir spous being oftymes callit and nocht comperand, my Lord Regent and Lordis of Secreit Counsall, understanding that for preving of the kyndnes clamit be the said Mathow, witnessis mon be summond; thairfoir ordanis lettres to be direct to charge sic personis as the said Mathow sall gif in bill, to compeir befoir the said Maister of Requeistis and Maister Johnne Wod in the said Maister of Requeistis chalmer within the burgh of Edinburgh upoun Mononday the xvi day of Februare instant at eftir none, to beir leill and suithfast witnessing in sa far as thai knaw, or salbe sperit at thame, in the said mater, under the pane of rebellioun and putting of thame to the horne; with certificatioun to thame and thai failye, the said day being bipast, thai salbe put thairto; and als to warne the saidis James Levingtoun, Margaret Cokburne, and Maister Alexander Skene, to compeir the saidis day and place, to heir and se the saidis witnessis sworne to depone in the said mater, with intimatioun to thame as efferis.

Apud Edinburgh, septimo die mensis Februarii, anno, etc. lxvii.

Sederunt. Jacobus Dominus Regens. Jacobus Comes de Mortoun. Joannes Comes de Atholl. Georgius Comes de Caithnes. Magister de Grahame. Patricius Dominus Lindesay. Joannes Dominus Glammis. Robertus Dominus Boyd. Alanus Dominus Cathcart. Alexander Dominus Saltoun. Andreas Dominus Uchiltre. Episcopus Orchadensis. Episcopus de Galloway. Commendatarius de Coldinghame. Secretarius. Clericus Registri.

Conclusion anent the persute of John Commendator of Abirbrothok.

The quhilk day, the Lordis of Secreit Counsale findis gude that the ordour of law be set fordwart and usit aganis Johnne Commendatare of Abirbrothok in caise to be past furth of the realme without licence.

Apud Edinburgh, xiiii Februarii, anno, etc. lxvii.

Sederunt. Domini ut in die predicto.

Anent the Leid of Elgin and Abirdene.

Forsamekill as prepositioun being maid to the Lordis of Articles of oure Soverane Lordis lait Parliament, of the greit zeale and cair borne be my Lord Regentis Grace to the establissing of peace and justice in this commoun weill, as his procedingis heirtofoir sen the acceptatioun of his office hes gevin sufficient testimony; bot as mony thingis yit remanis unperformit, quhilkis, with the assistance of God, in proces of tyme mon be done; sa it is requisit that sum provisioun be fund out and maid for the

interteneing of the men of weir quhais service can nocht be sparit quhill the rebellious and dissobedient subjectis, troublaris of the commoun weill in all partis of this realme, be reduceit to the dew obedience of oure Soverane Lordis authoritie and observatioun of his Hienes peace. And the saidis Lordis understanding that the leid upoun the Cathedrall Kirkis of Abirdene and Elgin is for ane greit part be diverse personis thiftuouslie stowin and takin away, na commoditie of the samyn cumand to the commoun weill of this realme, thairfoir, devysit ordanit and concludit be the saidis Lordis, that the leidis of the saidis kirkis salbe takin doun with diligence, and sauld and disponit upoun, for interteneing and sustentatioun of the saidis men of weir and utheris neidfull chargeis of the commoun weill of this realme, sa far as the samyn extendis to, at the discretioun of my said Lord Regent, lyke as at mair lenth is contenit in the Act of Parliament maid thairupoun. Quhairfoir my said Lord Regent, with avise of the saidis Lordis of Secreit Counsale, hes gevin, grantit and committit, and be thir presentis gevis grantis and committis, full fre and plane power, speciall command, express bidding and charge, to Alexander Clerk and Williame Birny, burgessis of Edinburgh, to pas to the saidis cathedrall kirkis, and thair tak doun the leid being thairupoun, the samyn to transport sell and dispone at thair plesour; the proffeit and pryce thairof to inbring and mak compt to oure Soverane Lordis commoditie to the effect abonewrittin. And ordanis lettres to be direct, chargeing all and sindry our Soverane Lordis liegis and subdittis quhatsumevir in generall, and als be thair names in speciall as thai salbe requirit, that thai nor nane of thame tak upoun hand to do molestatioun, stop, troubill, impediment, or inquietatioun, to the saidis Alexander and Williame, thair factouris, partinaris, or servandis, in thair names, in the dountaking, careing, and transporting, selling, and disponing, of the leid being upoun the saidis cathedrall kirkis at thair plesour, eftir the forme and tennour of the said Act of Parliament, under the pane of inobedience and contemptioun of oure Soverane Lordis authoritie; certifeing all and quhatsumevir personis doand in the contrair, thay salbe repute, estemit, callit, and persewit, as rebellious and dissobedient personis, resistaris and ganestandaris of oure Soverane Lordis authoritie; and salbe puneist for the samyn, with all regour and extremitie in exempill of utheris. Attour, to command and charge—George Erll of Huntlie sheref Principall of Abirdene, Williame Leslie of Balquhane sheref Depute thairof, and utheris Sheref Deputtis of the samyn, Alexander Dunbar of Cumnok knycht Sheref of Elgin and Fores and his deputtis, Williame Bischop of Abirdene, Patrik Bischop of Murray, Thomas Menzeis of Petfoddellis provest of Abirdene, Johnne Annand provest of Elgin, the Baillies of the saidis burrowis, and als the Baillies and inhabitantis of the toun of Auld Abirdene—that thai fortifie, manteine, defend, asssist and further the saidis Alexander Clerk and Williame Birny, thair factouris partinaris and servandis in thair names, in the dountaking, intromissioun, keping, careing, convoying, and disponing of the said leid, and na wayis to suffer thame be hinderit, stoppit, or delayit, or to ressave

ony harme greif or injurie thairin, in bodiis or gudis, bot caus thame be furnissit of meit, drink, servandis, werkmen, and utheris thingis necessar at thair ressonabill expenssis; certifeing the personis quhatsumevir doand in the contrair, or that beis fund remysse or negligent in the premissis, thai salbe estemit, callit, persewit and puneist, na utherwayis nor gif thai committit the offence thame selffis in thair propir personis; and forder to answer upoun thair dewitie and allegeance according to the lawis of this realme, and band contenit in the generall band.

Apud Edinburgh, xxiiii Februarii, anno lxvii.

Sederunt. Jacobus Dominus Regens. Jacobus Comes de Mortoun. Commendatarius de Orknay. Commendatarius de Dunfermling. Secretarius. Thesaurarius. Clericus Registri. Clericus Justiciarie.

Charge on Collectoris.

Forsamekill as thair wes diverse lettres of befoir, chargeing the lait collectoris underwrittin,—that is to say, Patrik Davidsoun, Ross herauld, collectour of Ross, Sutherland, Caithnes and Strathnaverne; Maister Johnne Duff and Maister Archibald Lindesay, collectouris of Murray; Maister James Harvy, collectour of Abirdene and Banff; Robert Rait, collectour of Forfar and Kincardin; David Murray of Kerse, collectour of Fyff; Patrik Murray of Newcow, collectour of Perth; Sir Johnne Stewart of Minto knycht, collectour of Striveling, Lanark, Renfrew, and Dunbartane; Eustache Creichtoun collectour of Kyle, Carrik; Maister Robert Creichtoun persoun of Sanquhair collectour of Wigtoun, Kirkcudbrycht, Drumfreis and Annanderdaill; Johnne Murray collectour of Berwik, Roxburgh, Selkirk, and Peblis; and Duncane Levingstoun collectour of Lowthiane—to have comperit befoir the Lordis Auditouris of Chekker, and brocht and maid thair comptis of thair haill intromissioun of the frutis of the collectorie of the lxvii yeir instant—to the effect that the ministeris and thair collectouris may understand quhat is taken up and quhat is restand to be taken up be thame—within sex dayis, under the pane of rebellioun; with certificatioun gif thai failye, lettres sould be direct simpliciter to put thame to the horne. Quhilk charge thai haif contempnandlie dissobeyit, as the lettres executionis and indorsationis thairof produceit thairupoun proportis, and as yit will nocht compeir to the effect foirsaid without thai be forder compellit. Thairfoir my Lord Regent and Lordis of Secreit Counsall ordanis lettres to be direct, yit as of befoir, to command and charge the saidis Collectouris, that thai and ilk ane of thame compeir befoir the Lordis Auditouris of the Chekker, and thair mak compt of thair intromissioun of the frutis of the lxvii yeir to the effect foirsaid, within uther sex dayis nixt eftir thai be chargeit thairto, under the pane of rebellioun; and gif thai failye, the saidis sex dayis being bipast, to denunce thame rebellis and put thame to the horne, becaus thai wer chargeit heirto of befoir, under the said pane, and dissobeyit.

Forsamekill as Sir Williame Murray of Tulibardin knycht Comptrollar, hes in presens of my Lord Regent and Lordis of Secreit Counsale, confessit himself to haif ressavit the sowmes of money and victuale following, of all that he hes intromettit with, of the frutis of the collectorie of this instant crope and yeir of God j^{m}v^{c} lxvii yeir, Witsonday and Martimes termis of the samyn; that is to say, of the thrid of the Abbay of Paslay ane thowsand pundis, of the thrid of the Archebischoprik of Glasgow, j^{c} ℔. money—the remanent thairof, bayth money and victuall, beand takin up be the Laird of Mynto in his superexpenssis; fra the collectour of Fyff, lxvi ℔. xiiii ß. iiii đ., togidder with the thrid of Dunfermling, bayth money and victuallis,—by the Laird of Granges pensionis and the assignatioun for the castell of Edinburgh; fra the collectour of Murray, lxx ℔. xiii ß. iiii đ., and thretty sex chalderis victuall, for the quhilk he hes obleist him self to mak compt in the Chekker. Thairfoir my Lord Regent and Lordis of Secreit Counsale ordanis ane lettre to be direct, to inhibit and discharge the collectouris of the ministerie to ask crave or ressave the money and victuallis foirsaidis, ellis intromettit with be the said Comptrollar as said is, and of all using of proces and executioun thairfoir, dischargeing thame thairof and of thair offices in that part. Comptrollair.

Apud Edinburgh, tertio Marcii, anno lxvii.

Forsamekill as in the spring of the yeir all kyndis of flesche decayis and growis out of seasoun, and it is convenient for the commoun weill that thai be sparit during that tyme, to the end that thai may be mair plenteous and bettir chaip the rest of the yeir; quhairas be the contrair gif flesche sall still be slane and eittin the derth thairof salbe sa greit, that the commoun weill salbe greitlie hurt thairby. For remeid quhairof, my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, hes statute and ordanit that nane of oure Soverane Lordis lieges, of quhat estait degre or conditioun that evir thai be of, presume or tak upoun hand to eit ony maner of flesche during the tyme of this present Lenterne, nor in tyme cuming during that seasoun of the yeir; nor that na flescheouris, oistlairis, cukis or tavernaris, slay or prepair ony maner of flesche to be sauld in the said tyme, under the pane of confiscatioun of all thair movabill gudis to our Soverane Lordis use, and warding of thair personis at my Lord Regentis will, except thai obtene licence in writt of his Grace upoun ressonabill consideratioun; and that the Justice Clerk and his deputtis tak speciall dittay upoun the contravenaris of this present Act and ordinance, and persew thame with regour in exempill of utheris, and that lettres be direct for publicatioun heirof in dew forme as efferis. Anent the eitting of Fleshe.

Apud Edinburgh, quarto die mensis Marcii, anno, etc. lxvii.

Sederunt. Jacobus Dominus Regens. Jacobus Comes de Mortoun. Commendatarius de Dunfermling. Commendatarius de Balmerynoch. Commendatarius de Coldinghame. Secretarius. Thesaurarius. Clericus Registri. Clericus Justiciarie.

Gold Myndis. The quhilk day, in presens of the Lordis of Secreit Counsall, comperit Cornelius de Vois, Ducheman, and presentit this contract, desyring the samyn to be actit and registrat in the bukis of Secreit Counsall, to haif the strenth of ane Act and decreit of the Lordis thairof. Quhilk desyir my Lord Regentis Grace and Lordis foirsaidis aggreit unto : of the quhilk contract the tennour followis: At Edinburgh, the fourt day of Marche the yeir of God j^{m}v^{c}lxvii yeris, it is appointit, aggreit, and finalie concordit,—betuix ane maist illuster and michtie Prince James, be the grace of God, King of Scottis, and his dearest cousing James Erll of Murray Lord Abirnethie, Regent to his Hienes, his realme and liegis, with avise and consent of the Lordis of Secreit Counsale on that ane part,—and Cornelius de Vois, Ducheman, on that uther part, in maner as followis. That is to say, the said illuster and potent Prince, his said Regent and Counsall, considdering the cheif and principall caus of the dekay of myndis and mynerallis of gold and silver within this realme this lang tyme bipast—to the greit hurt and detriment alsweill of the patrimony and revenuew of his croun as of the commoun weill of the samyn—partlie to haif bene be nocht putting of men of knawlege and jugement to the inventing, seking, outspying, and discovering of the same, and als in admitting of sic personis to the handilling thairof, as onelie having respect to thair awin particular commoditie, for advanceing thairof, had transportit and careit the haill ure fund and win be thame in the saidis myndis furth of this realme, swa that nather the Prince at na tyme reportit the proffeit addettit to him thairthrow, nather yit ony commoditte did redound to the commoun weill of this realme be the same. And now our Soverane Lord, his Regent and Counsall foirsaid,—for augmenting of the revenuew of his croun quhairby nocht onelie his Hienes be tyme salbe enrecheit, bot als his haill realme sall feill and persave ane sure advantage—being weill perswadit and instructit of the perfyte qualiteis, gude knawlege, and jugement, of the said Cornelius in sercheing out and discovering of the saidis goldin and silver myndis, quha frelie upoun his awin chargeis offeris and promittis to assailye and interpryise the same ;—thairfoir our said Soverane Lord, with avise and consent of his said Regent and Counsale, hes sett grantit and disponit, and be thir presentis settis grantis and disponis, to the said Cornelius, his assignayis and partinaris, ane or ma, the haill silver and goldin myndis and mynerallis within the realme of Scotland and dominions thairof, for all the space dayis and termis of nynetene yeris nixt following the dait heirof, with power to the said Cornelius and his foirsaids to serche out win and discover, the saidis gold and silver myndis, and to brek the ground, mak sinkis and pottis thairin, to that effect as thai sall think expedient, within

quhatsumevir part of this realme and dominionis thairof, without harme injurie or troubill to thame or ony of thame of thairis, be ony of the liegis of this realme; and to put laubouraris and werkmen thairto, win and fyne all gold and silver to be fund be thame within the same to sic nowmer as thai may or can during all the said space. Quhairfoir oure Soverane Lord, his said Regent and Counsale inhibits—and sall caus all and sindrie liegis and subjectis of this realme, be oppin proclamatioun, at the marcat croces of the burrowis thairof and utheris places neidfull quhatsumevir, be straitlie inhibit and dischargeit of—all wirking, handilling, or melling with ony gold or silver myndis, nor yit serche, discover, nor find out the same within ony part of this realme and dominionis thairof, during all the said space, without the said Cornelius or his foirsaidis speciall licence and consent had thairto, and fra all troubling, molesting or impeding of thame in wirking at the saidis myndis during the same space, nor yit do nor attempt ony thing that may tend to the violatioun or breking of ony point of his Hienes part of thir presentis, under the pane of deid. And for the better accomplissing of the said interpryise, our said Soverane Lord hes takin and be thir presentis takis the said Cornelius, his assignayis and partinaris, under his Hienes speciall protectioun saufgaird and defence, to be unharmit, unskaythit, or unmolestit be ony of the liegis of this realme during the said space. Alsua the said Cornelius salbe straitlie fundin and obleist, lyke as be thir presentis straitlie bindis and obleissis him, to entir to the said werk and put labouraris and werkmen thairto,—nocht exceding the nowmer of xx personis being strangearis without speciall licence of our Soverane Lord had thairto,—permittand alwayis to him sa mony of the liegis of this realme as he sall think neidfull to that effect, betuix the dait heirof and the moneth of Junii the yeir of God $j^{m}v^{c}$lxix yeris; and failyeing thairof he sall amit and tyne all rycht and privilege quhilk he may haif to the saidis myndis be vertew of this present contract, dischargeand the samyn in that caise fra thynefurth. Provyding alwayis gif ony vane of leid, tin, copper, or uther mettall, beis fundin in seking out of the saidis goldin and silver myndis, it sall be lesum to the said Cornelius and his foirsaidis to win the samyn, payand to oure Soverane Lord and his successouris siclyke proffeittis and to sic nowmer as utheris his Hienes liegis payis presentlie for the lyke. For the quhilk caussis the said Cornelius, his assignayis and partinaris, sall deliver to oure Soverane Lord and his successouris induring the saidis nynetene yeris,—for everie hundreth unce wecht of gold and silver that sal happin to be fund and win be thame in the saidis myndis and tryit and purifeit be wescheing, aucht unces; and for everie ane hundrith unce wecht of gold and silver that sal happin to be tryit be the fyre, quhilk requiris greittar chargeis, four unces; or utherwayis sall deliver for everie unce of gold and silver sex unces—howsoevir it sal happin the samyn to be fynit be fyre or wescheing—providing that our Soverane presentlie tak his chois, comptand fyve scoir to everie hundrith; and sall present, offer, and deliver the rest and remanent gold and silver quhilk sal happin to be win in the saidis myndis; that is to say,

the gold at twenty twa carret fyne, and the silver at ellevin deneir fyne, with the remediis according to the ordour of the cunyehous to oure Soveranis cunyehous, and sall ressave the samyn agane in cunyeit money of the same wecht and fynes as he deliveris it, payand for everie hundrith unce wecht of cunyeit gold quhilk he sal happin to ressave agane ane unce and quarter of ane unce wecht of uncunyeit gold; and for everie hundrith unce of cunyeit silver fyve unces siclyke of the same wecht and fynis. And ordanis this present contract to be actit and registrat in the bukis of Secreit Counsale; and siclyke ane lettre to be maid under the Greit Seill heirupoun to the said Cornelius and his foirsaidis, contening the space and dewiteis abonewrittin in forme as efferis. In witnes of the quhilk thing our said Soveranis dearest cousing and Regent, and the said Cornelius, hes subscrivit this present contract with thair handis, day, yeir, and place foirsaidis, befoir thir witnessis, Maister Robert Richertsoun Commendatare of Sanct Marie Ile Thesaurare, Maister James Makgill of Rankelour Nethir Clerk of Register, Sir Johnne Wischert of Pittarro Knycht, and Maister Henrie Balnaves of Halhill, with utheris diverse. Sic subscribitur. James Regent. Cornelius de Vos.

Apud Glasgow, xv Marcii, anno Domini lxvii.

Sederunt. Jacobus Dominus Regens. Archibaldus Comes de Ergyle. Jacobus Comes de Mortoun. Joannes Comes de Mar. Alexander Comes de Glencarne. Hugo Comes de Eglintoun. Patricius Dominus Lindesay. Robertus Dominus Boyd. Robertus Dominus Sympill. Commendatarius Dunfermling. Commendatarius Balmerinoch. Thesaurarius. Clericus Registri.

For componitouris in justice air at Glasgow.

The quhilk day, forsamekill as my Lord Regentis Grace, with gude part of the nobilitie, is reparit to this citie of Glasgow for halding of justice airis within the sherefdomes adjacent, begynnand at the sherefdome of Dunbartane; and howbeit the first day of the air is bipast viii dayis syne, yit nane of the inhabitantis of the said sherefdome of Dunbartane hes yit comperit to offer thame selffis reddie to underly the law nor yit to desire componitouris, howbeit thair be commissioun gevin to diverse nobill men and utheris adjonit with my Lord Thesaurare, to compone with all personis for all crymes at thair discretioun. And sen nowther my Lord Regentis Grace and the nobilitie can tary lang attending upoun this ane air, having in hand to do justice in uther partis of the realme; nor yit may the cuntre men convenientlie await all the tyme of the air specialie in this sessioun of the yeir; it wer convenient for the ease and releif of bayth, that all personis callit and arreistit to the said air comperit in dew tyme, that being callit and outred thai mycht depart hame to thair bissines. Thairfoir ordanis lettres to be direct to command and charge all and sindry oure Soverane Lordis liegis dwelland within the boundis of the said sherefdome of Dunbartane indytit and arreistit to this present justice air, that thai compeir with diligence, and attend upoun thair calling at the tolbuyth

appointit for the said air in the Stabill Grene; certifeing thame that throw non comperance ar anys unlawit, thair unlawis salbe uptakin extremelie nochtwithstanding thair comperance at ony tyme thaireftir in the tyme of the air; and siclyke to warne all personis that desyris to compone for respit and remissioun, that thai gif in thair desyris to the compositouris sittand in the ludgeing of Johnne Stewart of Mynto knycht Provest of Glasgow, quhairunto thai sal haif answer, swa that nane under pretense of want of componitouris absent thame selffis wilfullie.

Apud Glasgow, xviii Marcii, anno Domini lxvii°.

Sederunt. Domini ut in die predicto.

Watsoun. Kilcruich.

Anent the complaint maid be George Watsoun Exhortar in the kirk of Fintre, makand mentioun, that quhair he is electit and ordourlie admittit to the service of ane Exhortar in the said kirk, and ordanit to haif ane sobir and small stipend, with the gleib manse and yaird, belangand to the vicarage of the said kirk, quhilk the Vicaris thairof hes had and broukit in all tymes bigane past memor of man without stop or impediment,—quhill now laitlie at Candilmes, in the yeir of God j^{m}v^{c} thre scoir yeris, quhilk wes his entres to the said service,—that James Galbrayth of Kilcrewch and Gilbert Fillane alias M^{c}Larne his servand, hes wranguslie withhaldin fra the said George Watsoun the said gleib, manse, and yairdis, and thair pertinentis, continewalie sen the said terme of Candilmes in the yeir of God foirsaid, and as yit withhaldis the samyn; and cuttit the frute and growand treis of the said yaird, and lattin doun the said manse; and als withhaldis the proffeittis of the said gleib manse and yaird continewallie, sen the said terme of Candilmes in the yeir of God foirsaid, extending yeirlie be just valour to the sowme of ten markis; and will nocht refound the samyn to the said George Watsoun, nor yit desist and ceise thairfra, quhairthrow he may nocht mak habitatioun nor residence at the said kirk for making of service, to his greit dampnage and skayth and expres aganis justice. And anent the charge gevin to the said James Galbrayth, to compeir befoir my Lord Regent and Lordis of Secreit Counsall this day, to answer to the said complaint; bayth the partiis comperand personalie, thair ressonis and allegationis being hard and understand, my Lord Regent and Lordis of Secreit Counsale decernis and ordanis the said James Galbrayth of his awin propir consent and confessioun, to desist and ceise be himself, the said Gilbert his servand and all utheris his servandis, fra the manse, gleib, and yairdis abone writtin, sa far as is exceptit in his infeftment of fewferme, at the feist of Witsonday, and leif the samyn void and red, to be occupiit be the said George in tyme cuming, conforme to his admissioun; and that lettres be direct heirupoun gif neid be in forme as efferis.

Apud Glasgow, xxvii Marcii, anno, etc. lxviii.

Sederunt. Jacobus Dominus Regens. Archibaldus Comes de Ergile. Hugo Comes de Eglintoun. Alexander Comes de Glencarne. Robertus Dominus Boyd. Patricius Dominus Lindesay. Commendatarius Dunfermling. Commendatarius Balmerynoch. Thesaurarius. Clericus Justiciarie.

Charge on Hammiltonis. Slauchter Sympill.

Forsamekill as be the generall band, maid and subscrivit be the Erllis Lordis Baronis and Frehaldaris within this realme, to oure Soverane Lord and his maist nobill progenitouris, it is specialie providit, that gif ony personis dwelland within ony of the said Erllis Lordis Baronis and Frehaldaris houssis, upoun thair landis, or within thair takkis stedingis rowmes or baillieris, committis ony cryme, sic as tressoun, fyre rasing, revesing of wemen, slauchter, mutilatioun, thift, ressett of thift, forthocht fellony, commoun oppressioun, hame suckin, resset of hornaris, assistaris to thevis or tratouris; eftir the committing of ony sic falt or cryme, thai or ony of thame under quhome the saidis personis dwellis, being requirit thairto be the Princes authoritie, or be the Justice or Justice Clerk, sall entir the personis delaitit of the faltis, ane or ma, owther at generall justice airis or at particular dyettis as salbe requirit, upoun xv dayis warning, to underly the law for the same crymes that thai ar delaitit of befoir our Justice or his deputtis; ilk persoun under the panis contenit in the Actis of Parliament. And it is of veritie that Johnne Hammilton brother germane to Sir Andro Hammiltoun of Goslingtoun Knycht, Johnne Hammiltoun in Turnlaw and Hector Stewart sone of umquhile Johnne Stewart of Schawtoun, all thre houshald men to the said Sir Andro, with thair complices, upoun the xxiiii day of Marche instant, under silence of nycht, cruellie murtherit and slew umquhile Gawin Sempill in quhairthrow the said Andro, thair maister, be the lawis and practik of this realme aucht to serche, seik, tak, and apprehend and present thame befoir the Justice or his deputtis to be puneist for thair demerittis. Thairfoir my Lord Regent, with avise of the Lordis of Secreit Counsale, ordanis lettres to be direct, to charge the said Sir Andro to serche, seik, tak, and apprehend the said Johnne Hammiltoun his brother germane, Johnne Hammiltoun of Turnlaw, and Hector Stewart, and put thame befoir the Justice or his deputtis in the Tolbuyth of Glasgow haldin in the Stabill Grene thairof, upoun the xv day nixt, eftir the said Sir Andro be chargeit thairto, eftir the forme and tennour of the said generall band, and under the panis contenit in the samyn; and that the said Sir Andro compeir personalie befoir my said Lord Regent and Lordis of Secreit Counsale upoun the samyn xv day eftir his charge, to answer upoun his diligence done in apprehensioun of the personis abone written, committaris of the said cruell slauchter in maner foirsaid, under the panis contenit in the Actis of Parliament.

Apud Glasgow, quinto die mensis Aprilis, anno Domini $j^{m}v^{c}$ sexagesimo octavo.

Sederunt. Jacobus Dominus Regens. Archibaldus Comes Ergadie. Hugo Comes de Eglintoun. Alexander Comes de Glencarne. Robertus Dominus Boyd. Patricius Dominus Lindesay de Byris. Commendatarius Dunfermling. Commendatarius Balmerynoch. Thesaurarius. Clericus Justiciarie.

Mukkellis. Dalyell. Eglintoun.

Anent the supplicatioun presentit be Johnne Hay of Mukkallis, Capitane for the tyme of ane garison of horsemen upoun the Bordouris of this realme, and David Nysbett baroun of Dalyell, his Lieutenent, makand mentioun; that quhair the tyme of the last weris betuix this realme and England, thay wer electit and chosin Capitane and Lieutenent as said is of ane garisoun of horsmen, lyke as thai according thairto servit lelelie and trewlie the space of four monethis; and in the menetyme spendit the reddiest of thair awin gudis and geir for thair intertenyment in service. And the Quenis Grace Regent, willing that thai sould be thankfullie payit of thair wageis, with avise of the Erll of Huntlie, than Chancellar, and the Clerk of Register, upoun the xviii day of Marche, the yeir of God $j^{m}v^{c}$lviii yeris, gaif to the saidis complenaris ane assignatioun of the sowme of four hundrith xvi ℔. xvi ß. ix ₫. ob., to be payit for compleit payment of thair wageis of the reddiest of the taxtis of the Baillierie of Cunynghame, as the said assignatioun subscrivit be the said Lord Chancellar and Clerk of Register beris. Quhairupoun the saidis complenaris obtenit lettres, chargeing Hew Erll of Eglintoun Baillie of Cunynghame, to mak payment to thame of the foirsaid sowme within thre dayis nixteftir the charge under the pane of rebellioun, and gif he failyeit, to denunce him rebell and put him to the horne. Quha for his dissobedience of the command of the saidis lettres, upoun the sext day of Marche, the yeir of God $j^{m}v^{c}$lxiiii yeris, wes ordourlie put to the horne, as the saidis lettres and executioun thairof dois testifie; at the proces of the quhilk, the said Erll hes lyne contempnandlie sensyne. Quhairthrow thai can get na payment of the foirsaid sowme albeit thai haif servit trewlie thairfoir and spendit thair awin gudis and geir as said is to thair greit hurt; and becaus the said assignatioun in effect procedit and wes gevin be the Thesaurare quha sould than haif payit thame, thay meanit thair caus to him, desyring him to ressave the saidis lettres dewlie execute and indorsat and mak thame payment of the said sowme, quha allutirlie refuissis. And anent the charge gevin to the said Erll of Eglintoun, to compeir befoir my Lord Regent and Lordis of Secreit Counsall, to answer to the said complaint; bayth the partiis comperand personalie, and the ressonis and allegationis of the said Erll being hard, sene, and understand to my Lord Regentis Grace and Lordis of Secreit Counsale, and thai ryplie avysit thairwith; my Lord Regentis Grace and Lordis of Secreit Counsale, decernis and ordanis the said Hew Erll of Eglintoun of his awin propir consent, to content and pay to the said Johnne Hay of Mukkallis capitane, and David Nysbett Baroun of Dalyell, his

lieutenent, the said sowme of iiii^{c} xvi ℔. xvi ʃ. ix ₰. in compleit payment of thair wageis foirsaidis, of the reddiest of the taxtis of the said baillierie of Cunynghame, conforme to the said assignatioun, betuix the dait heirof and the feist of Lambmes nixtocum, under the pane of rebellioun and putting of him to the horne; and gif he failyeis thairin, the said feist being bipast, to denunce him rebell and put him to the horne, and to escheit, etc. And for releif of the said Erll, ordanis lettres to be direct at his instance, chargeing Johnne Mure of Cauldwell and John Mure notar, conjunctlie and severalie, to mak compt, rekning, and payment of the said Erll of Eglintoun of the taxatioun of the baillierie of Cunynghame, according to the rate that the same baillierie is stentit and taxit to, of the xlviii thowsand pundis grantit be the estaittis for sustening of men of weir on the Bordouris the tyme of the last weris aganis England; and that betuix the dait heirof and the said feist of Lambmes nix to cum; under the said pane of rebellioun and putting of thame to the horne. And gif thai failye thairin, the said feist being bipast, to denunce thame rebellis and put thame to the horne, and to escheit, etc., becaus it wes understand to my Lord Regentis Grace and Lordis foirsaidis that the saidis Johnne Maister of Cauldwell occupiit the saidis office of baillierie, and the said Johnne Mure notar the office of baillie clerk and collectouris of the said taxatioun, the tyme of the granting thairof and executioun past for inbringing of the samyn. And for releif of the saidis Johnne Mure of Cauldwell and Johhne Mure notar, ordanis thame to haif lettres, according to the lettres past of befoir in the regnne of the Quene moder to our Soverane Lord, direct to the said Baillie of Cunynghame and his deputtis, and to officiaris of armes, Shereffis in that part, chargeing all and sindry Erllis, Lordis, Baronis, Freehaldaris, dwelland within the boundis and jurisdictioun of the said baillierie, quhilkis hes nocht maid compleit payment of the said taxatioun, personalie, or be oppin proclamatioun at the marcat croce of the heid burgh of the schyre—and siclyke at thair parroche kirk upoun ane festuall day in tyme of devyne service—that thai, and ilk ane of thame, mak compt, rekning, and full and compleit payment to the said Johnne Mure of Cauldwell and Johnne Mure notar, conjunctlie or severalie, for thair releif of the sowme of xiii ʃ. iiii₰. of everie pund land of auld extent pertening to thame and ilkane of thame, within xv dayis nixt eftir thai be chargeit thairto, under the pane of rebellioun and putting of thame to the horne; and gif thai failye thairin, to denunce thame rebellis and put thame to the horne, and to escheit, etc. And quhair ony Erlis, Lordis, Baronis, dwelland in utheris schyris, hes landis within the boundis and jurisdictioun of the said baillierie, to pas and poind the saidis landis, for thair part of the taxatioun efferand to the rait and quantitie of the saidis landis. And becaus it is commounlie meanit, that quhair the ordinar officiaris passis to poind for the lyke taxationis, na man will tak the gudis of thair handis, and swa thai can get na penny maid thairof; in that caise it salbe sufficient that gif the gudis be brocht to the marcat croce of the heid burgh of the said baillierie, to caus the same be apprysit for sic sowmes as may be gottin thairfoir, albeit the

said apprysing be mekill within the just avale, the partie or inhabitantis of the ground gettand the first offer of the gudis upoun the pryces for the quhilkis thai sal happin to be apprysit. Attour, for releif of the saidis Erllis, Lordis, Baronis, and Frehaldaris, to charge thair subwassellis, ladiis of terce, conjunct fearis, and lyverentaris, to contribute with the proprietaris, ilkane efferand to the rait and quantitie of thair part of the taxt of thair landis, and mak payment thairof to the saidis Erllis, Lordis, Baronis and Frehaldaris, within aucht dayis nixt eftir thai be chargeit thairto, under the pane of rebellioun and putting of thame to the horne; and gif thai failye, to denunce thame rebellis and put thame to the horne, and to escheit, etc.

Apud Glasgow, decimo die mensis Aprilis, anno, etc. lxviii.

Sederunt. Jacobus Dominus Regens. Archibaldus Comes de Ergyle. Hugo Comes de Eglintoun. Alexander Comes de Glencarne. Patricius Dominus Lindesay. Commendatarius Dunfermling. Commendatarius Balmerynoch. Thesaurarius. Clericus Registri. Magister Henricus Balnaves de Halhill.

Charge on Maister Johnne Kennedy.

Anent the charge gevin be vertew of oure Soverane Lordis lettres, to Maister Johnne Kennedy, commoun clerk of the burgh of Abirdene, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsale this day, to answer to sic thingis as sould be inquirit of him; the said Maister Johnne comperand personalie, my Lord Regentis Grace, with avise of the saidis Lordis, tuke ordour with him for thai thingis he wes delaitit of, and gaif him libertie to depart hame at his plesour; and thairfoir suspendit the executioun of the saidis lettres, and all proces of horne contenit thairintill aganis the said Maister Johnne allanerlie.

Cunynghame of Aickett.

Anent oure Soverane Lordis lettres purchest be Williame Cunynghame of Aickett, makand mentioun, that quhair Neill Montgomery of Langschaw fand souertie actit in the bukis of Secreit Counsall, that the saidis Williame Cunynghame and Alexander Cunynghame his sone and apperand air, thair kin, freindis, servandis, and partakaris, sould be harmeles and skaythles of him and all that he mycht let bot as law will, under the pane of twa thowsand pundis, as ane Act maid thairupoun, at Edinburgh, the ix day of December last bipast, mair fullelie proportis. Nochtwithstanding the quhilk, upoun the xxix day of Marche last bipast, the said Williames plewchis beand teland and laubourand the fourty schilling land of Kirkland of Stewartoun pertening to him in heretage, the said Neill come at ten houris befoir none, accumpaneit with his household men and servandis to the nowmer of sextene personis or thairby, bodin in feir of weir, and be way of deid stoppit the said Williames plewis, and at thre houris eftir none stoppit his harrowis to labour the saidis landis, and swa hes contravenit the tennour of the said Act, and his souertie incurrit the panis contenit thairin, doand that in him lyis to mak forther troubill in the cuntre, quhilk will nocht faill to be, gif remeid be nocht providit in the contrair.

Montgomery of Langschaw.

And anent the charge gevin to the said Neill, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsale this day to answer to the complaint abone mentionat, and to heir and se him decernit to haif contravenit the tennour of the said Act, and his souertie to haif incurrit the pane contenit thairin, and the said Williame relevit of the souertie fund be him to the said Neill, and ordour tane hereintill, swa that the said Williame be nocht forder troublit in tyme cuming be way of deid, lyke as at mair lenth is contenit in the saidis lettres. Bayth the partiis comperand personalie, my Lord Regentis Grace, with avise of the Lordis of Secreit Counsall, continewis the said mater in the samyn forme, force, and effect as it is now, but prejudice of partie, unto Monounday the xii day of Apryle instant, bayth the partiis warnit heirto apud acta.

Apud Glasgow, xii Aprilis, anno, etc. lxviii°.

Sederunt. Domini ut in die predicto.

Cunynghame Aickett. Montgomery Langschaw.

Anent the actioun dependand betuix Williame Cunynghame of Aickett and Neill Montgomery of Langschaw, the said Williame comperand personalie, and the said Neill being oftymes callit and nocht comperand; my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, ordanis lettres to be direct, to charge the said Neill Montgomery to compeir befoir his Grace and Lordis foirsaidis upoun the thrid day nixt eftir the charge, to answer to the said complaint, eftir the forme and tennour of the first lettres direct in the said mater; with certificatioun to him and he failye, the saidis Lordis will proceid and gif thair declaratour and decreit in the said mater as accordis of justice.

Apud Glasgow, xviii die mensis Aprilis, anno, etc. lxviii°.

Sederunt. Domini ut in die predicto.

James Boyd. Jonete Swan.

Anent the complaint maid be James Boyd, makand mentioun; that quhair the Provest and Baillies of the citie of Glasgow, havand consideratioun that Jonete Swan, indwellar thairof, is troublous and dois wrang be way of deid under cullour of daftnes and fatuitie, and specialie troublis the possessouris and occupiaris of ane yaird pertening to the said James Boyd, liand on the bak syde of umquhile George Swan; be thair Act and ordinance, ordanit the said Jonete to be put in firmance, thair to remane, ay and quhill schö fand sufficient cautioun and souertie that the said James and his subtenentis be skaythles of hir and remane untroublit in thair peciabill possessioun of the said yaird be way of deid utherwayis nor be justice; as the said Act of the dait the last day of Februare, the yeir of God $j^{m}v^{c}$ thre scoir sex yeris at mair lenth proportis. Quhilkis the saidis Baillies, on na wayis will put to executioun conforme to the tennour thairof without thai be compellit, to the said James havy dampnage and skayth. And anent the charge gevin to Richert Ross and Maister Adame Wallace, Baillies of the said burgh, to put the said Act, gevin in maner

foirsaid, to dew executioun in all pointis, eftir the forme and tennour thairof, within xxiiii houris nixt eftir the charge; or ellis to compeir befoir my Lord Regent and Lordis of Secreit Counsale upoun the morne nixt eftir the charge, and schaw ane ressonabill caus quhy thai will nocht do the samyn, lyke as at mair lenth is contenit in the said complaint, executioun and indorsatioun thairof. Bayth the partiis comperand personalie, my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, ordanis the saidis Baillies to put the said Act gevin in maner abone writtin to dew executioun in all pointis, eftir the forme and tennour thairof.

Apud Glasgow, xxi die mensis Aprilis, anno, etc. lxviii.

Cautioun for Sheref of Air.

The quhilk day, Hew Erll of Eglintoun and Williame Cunynghame youngar of Capringtoun, obleist thame conjunctlie, ilk ane for thair awin part, that Mathow Campbell of Lowdoun knycht Sheref of Air, sall remane in ward within thre mylis about the castell of Blakness, and na wayis eschaip nor eschew furth of the saidis boundis quhill he be fred and relevit be my Lord Regentis Grace, and als that the said Mathow sall nychtlie repair to the said castell, and ly thairin during the said space; under the pane of twa thowsand markis.

Apud Glasgow, xxvii die mensis Aprilis, anno, etc. lxviii°.

Sederunt. Domini ut in die predicto.

Lard of Stanehous.

Alexander Hume.

The quhilk day, Johnne Hammiltoun of Stanehous, Sherefdepute of the sherefdome of Lanark, being callit in presens of my Lord Regentis Grace and Lordis of Secreit Counsall, to answer and gif declaratioun upoun the diligence usit and done be him in sercheing, seking, taking, and apprehending of Gawin Cleland, Margaret Hammiltoun his moder, Cuthbert Craig, and James Wod in Gartschary, denunceit rebellis and put to the horne, be vertew of lettres in the four formes, past upoun ane decreit of the Lordis of Counsall and Sessioun, at the instance of Alexander Hume sone lauchfull to Johnne Hume of Coldenknowis knycht, for non removing, desisting, and ceissing fra the landis and steding of Gartscharye, liand in the barony of Monkland, within the sherefdome of Lanark. It wes allegeit and answerit be the said Johnne Hammiltoun, Sherefdepute foirsaid, that he had usit exact diligence in sercheing and seking of the foirsaidis personis, rebellis, within the boundis of the said sherefdome as appertenis of his dewitie and office; and specialie that he had serchit, socht, and apprehendit the said Cuthbert Craig, ane of the rebellis foirsaidis, within the boundis abone writtin; and being apprehendit, had him unto the place and castell of Hammiltoun, and thair deliverit him to Sir Johnne Johnnestoun, Chalmerlane and kepar thairof, to remane in sure keping

and firmance quhill he be ordourlie relaxt fra the said proces of horne; and swa wes ressavit and kepit in the said castell. Thairfoir my Lord Regentis Grace and Lordis of Secreit Counsale, in respect of the allegeance and declaratioun foirsaid, ordanit lettres to be direct to officiaris of armes, Sheriffis in that part, to pas, command, and charge the said Sir Johnne Johnnestoun, Chalmerlane and kepar of the castell foirsaid, and all utheris, havaris and keparis of the said Cuthbert Craig, rebell foirsaid, within the samyn, to bring and present him befoir his Grace and Lordis foirsaidis, at Glasgow, or quhair it sal happin thame to be for the tyme, within xxiiii houris nixt eftir the charge, under the pane of rebellioun and putting of him to the horne; and gif thai failye thairin, the saidis xxiiii houris being bipast, to denunce thame rebellis and put thame to the horne, and to escheit, etc.

Apud Glasgow, tertio Maii, anno, etc. lxviii°.

Sederunt. Jacobus Dominus Regens. Jacobus Comes de Mortoun. Alexander Comes de Glencarne. Joannes Comes de Mar. Robertus Dominus Sympill. Magister Grahame. Dunfermling. Balmerynoch. Thesaurarius.

Proclamatioun to cum to Glasgow.

Forsamekill as my Lord Regentis Grace and Lordis of Secreit Counsale being adverteist how that the Quene, moder to our Soverane Lord, being put and kepit in the place of Lochlevin be the avyse and consent of the haill estaittis in Parliament for sic caussis as is notour and manifest in the Act of Parliament maid thairupoun, is now eschapit and cumin furth of the said place and reparit to the place of Hammiltoun, remaining thair, quhair sindry his Majesteis liegis and subjectis reparis towart hir for quhat purpois it is uncertane—bot as is supponit be the convoy and counsale of wickit personis, enemeis to his Hienes and his authoritie and all quietnes within this realme—tending to troubill the commoun tranquillitie and quietnes thairof and obeyance of his authoritie. Willing thairfoir to prevent all dangear that thairthrow may be pretendit to his Majestie and his authoritie royall, neidfull it is that my said Lord Regent be accumpaneit and assistit with his Hienes trew and faythfull subjectis. My Lord Regentis Grace thairfoir, with avise of the Lordis of Secreit Counsale, ordanis lettres to be direct, chargeing all and sindry Erllis, Lordis, Baronis, Frehaldaris, Gentilmen, substantious yemen, men, and utheris our Soverane Lordis liegis and subdittis quhatsumevir, alsweill to burgh as to land, regalitie as rialtie, within the boundis of our sherefdomes of etc., that thai with thair kin, freindis, servandis and haill forceis, weill bodin in feir of weir, addres and prepair thame to cum fordwart to my said Lord Regent, at Glasgow, with all diligence possibill, for preservatioun of our Soverane Lordis persoun, his authoritie, and establissing of justice and quietnes within this realme, under the pane of tinsall of lyff, landis, and gudis.

Apud Glasgow, decimo Maii, anno, etc. lxviii°.

Sederunt. Jacobus Dominus Regens. Jacobus Comes de Mortoun. Joannes Comes de Mar. Alexander Comes de Glencarne. Robertus Dominus Sympill. Commendatarius Dunfermling. Commendatarius Balmerynoch. Thesaurarius. Magister Henricus Balnaves de Halhill.

The quhilk day, anent the terme assignit be vertew of oure Soverane Lordis lettres to Neill Montgomery of Langschaw, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsale, this day, as the thrid day eftir the charge, to answer to the complaint gevin in aganis him be Williame Cunynghame of Aicket, eftir the forme and tennour of the first lettres direct in the said mater; with certificatioun to him and he failyeit, the saidis Lordis wald proceid and gif thair declaratour and decreit in the said mater as accordis of justice. The said Williame Cunynghame comperand be Alexander Cunynghame his sone and apperand air, and the said Neill Montgomery being oftymes callit and nocht comperand; the ressonis and allegationis of the partie comperand being hard, sene and understand to the saidis Lordis, and thai ryplie avysit thairwith. My Lord Regentis Grace, be avyise of the saidis Lordis of Secreit Counsale, decernis and ordanis the said Neill to haif contravenit the tennour of the said Act and his souertie to haif incurrit the pane contenit thairin; and relevis the said Williame of the souertie fund be him to the said Neill; quhairupoun the said Alexander Cunynghame in name of his said fader askit actis and instrumentis. Langschaw. Aickett.

Apud Glasgow, xvi die mensis Maii, anno, etc. lxviii°.

Sederunt. Jacobus Dominus Regens. Jacobus Comes de Mortoun. Alexander Comes de Glencarne. Joannes Comes de Mar. Magister de Grahame. Willelmus Comes de Menteith. Robertus Comes de Buchane. Alexander Dominus Hume. Willelmus Dominus Ruthven. Patricius Dominus Lindesay. Robertus Dominus Sympill. Allanus Dominus Cathcart. Secretarius. Thesaurarius. Tullibardin, Computorum [Rotulator]. Clericus Registri. Clericus Justiciarie.

Forsamekill as diverse wickit and seditious personis, our Soverane Lordis subjectis, impacient to se peace and gude ordour continew within this realme, movit of particular hatrent and malice, hes of lait troublit the quiet stait of this commoun weill, conducting ane army of conjurit rebellis armit to invaid and distroy his innocent persoun, to bereve him of his croun and propir inheritance, and to subject that state of governament, quhilk God under his name hes placeit in this regioun to the confort of mony pouer and oppressit creaturis, and discourage of the proude and malignant offendouris aganis the lawis of God and man. Bot as in the begynning of this rebellious tumult and unnaturall insurrectioun, Almychty Proclamatioun to meit at Biggar.

God, be his power, hes confoundit the force and polecy of his Majesteis adversaris, and grantit victorie to his faythfull subjectis, professing his obedience and avowing his querrell; sa it is requisit that in sa far as man may, His Majestie, his dearest cousing James Erll of Murray Lord Abirnethie Regent to his Hienes his realme and liegis, and his trusty Counsalouris, provide for the defence of his querrell, and punisement of the unnaturall subjectis that hes schawin thair faces aganis thair Hienes. For quhilk purpois, God willing, his said Regent, in propir persoun, myndis to tak the feildis, with his Majesteis displayit baner, to reduce the obstinat and rebellious factioun to thair dewitie and obedience, that his gratious persoun may be in suirtie and his realme restorit to the formar quietnes. Thairfoir ordanis lettres to be direct to command and charge all and sindry Erllis, Lordis, Baronis, Gentilmen and Frehaldaris, and als the inhabitantis of Burrowis within the sherefdomes of Kincardin, Forfair, Perth, Stewartreis of Stratherne and Menteith, the Sherefdomes of Striveling, Clakmannan, Kinross, Fyff, Linlythquow, Edinburgh, Hadingtoun, Berwik, Roxburgh, Selkirk, Peblis, Lanark, Renfrew, Dunbartane, Air, and Baillieris of Kyle, Carrik and Cunynghame alsweill within Regalitie as Rialtie, that thai, and ilkane of thame, weill bodin in feir of weir, with xv dayis victuales and provisioun and palyeonis to ly on the feildis, addres thame to meit my said Lord Regent at Biggar, the tent day of Junii nixtocum; and fra thyne to pas furthwart as thai salbe commandit for preservatioun and defence of his Hienes and his authoritie, or persute of the rebellious factioun, under the pane of tinsall of lyff, landis, and gudis.

Apud Edinburgh, xix Maii, anno, etc. lxviii°.

Sederunt. Jacobus Dominus Regens. Jacobus Comes de Mortoun. Alexander Dominus Hume. Willelmus Dominus Ruthven. Patricius Dominus Lindesay. Clericus Registri. Thesaurarius. Clericus Justiciarie.

Comissioun Lieutennendrie to Glencarne. Sympill.

My Lord Regentis Grace and Lordis of Secreit Counsall, understanding that Johnne Lord Flemyng, havar of the castell of Dunbartane in his custody and keping, being chargeit be our Soverane Lordis lettres, with avise of his Regent foirsaid, to deliver the same to his Grace and sic personis as wes appointit be his said Regent thairto, nocht onelie refusit to deliver the samyn, bot als associat and accumpaneit with certane seditious conspiratouris, come in plane battell, with displayit baner aganis his Grace and Regent foirsaid, bodin in feir of weir, purposing thairby to pluk the croun of his Hienes heid and depose him of his kinglie authoritie. And thai being be the providence of God repressit and put bak fra thair interpryise, the said Lord continewand in his formar perversednes, ressavis within the said castell the saidis conspiratouris, as in ane strenth quhair thai may sauflie remane quhill thai renew thair forceis and prosequute thair formair detestabill interpryise alsweill aganis the law of God as nature. And that the samyn may be the mair easelie performit, the said

Lord and his assistaris foirsaidis dalie furneissis the said castell with victuall, munitioun, and utheris thingis requirit to the keping thairof. Thairfoir, and for remeid of the samyn, and punissing of the saidis conspiratouris cuming with displayit baner upoun the xiii day of Maii instant to the feild of Langsyde aganis the Kingis Majestie, his Regent foirsaid, and Lordis of his Secreit Counsale; his Hienes, with thair avyise, hes maid and constitute, and be the tennour heirof, makis and constitutis his traist cousignis Alexander Erll of Glencarne and Robert Lord Sympill, and ather of thame, conjunctlie and severalie, his Graces Lieutenentis in that part to the effect underwrittin, gevand, grantand, and committand to thame and ather of thame, conjunctlie and severalie, his Graces full power with avise foirsaid; to apprehend and tak all maner of personis quhilkis come aganis his Grace and his said Regent at the said feild, and to send thame to his Regent and Lordis of his Secreit Counsall foirsaidis, to be puneist for thair demeritis; and als to apprehend and tak all maner of personis pretendand to entir within the said castell of Dunbartane, and send thame to the said Regent to the effect; foirsaid and all kynd of victuallis, munitioun, or uther furnissing to be send to the said castell of Dunbartane for victualling and providing thairof, and to dispone thairupoun at thair plesour; and to convocat and assembill our Soverane Lordis liegis to that effect and for assisting to thame. And gif ony of the saidis conspiratouris happynnis to entir in strenthis or houssis, to lay assegis thairto, and raise fyre, gif neid beis, for recovering thairof. And gif ony persoun or personis happynnis to be slane or mutilat be thame or personis being with thame in cumpany, grantis that thai sall incur na skayth nor dangeare thairthrow in ony maner of way in tyme cuming; and ordanis lettres to be direct to charge all oure Soverane Lordis liegis be oppin proclamatioun at all places neidfull, to concur, fortifie, and assist to the saidis Alexander Erll of Glencarne and Robert Lord Sympill or ather of thame to the effect foirsaid, and meit thame at sic place or places as salbe appointit be thame thairto, under the pane of tinsall of lyff, landis, and gudis.

Apud Striveling, xxiiii Maii, anno, etc. lxviii.

Sederunt. Jacobus Dominus Regens. Jacobus Comes de Mortoun. Joannes Comes de Atholl. Joannes Comes de Mar. Alexander Comes de Glencarne. Magister de Grahame. Secretarius. Thesaurarius.

Charge to rander houssis.

Forsamekill as diverse seditious personis, inymeis to the Kingis Majestie and commoun weill of this cuntre, rejectand all dew obedience, of firme purpois to bereve him of his lyff and croun, conjurit togidder, tressonabillie come to the feildis with oppin and displayit baneris aganis oure said Soverane Lord, his dearest cousing James Erll of Murray Lord Abirnethie, Regent to his Hienes, his realme and liegis; and howbeit be the mercy and providence of God, thai ar disappointed of thair cruell interpryise, yit continewand in thair obstinat rebellioun, thay resort within the houssis

and castellis following, mynding to repair thair forces, and sa far as in thame lyis to disposses his Majestie of his royall croun, bayth aganis the law of God and nature. Thairfoir, ordanis lettres to be direct, to charge the personis underwrittin, and all utheris, havaris keparis and detenaris of the houssis and castellis particularlie eftir following, to deliver the samyn to the officiaris executouris of the saidis lettres, to be kepit be thame and sic utheris as salbe appointit thairto; and to devoid and red thameselffis, thair servandis, and gudis, and all utheris being thairin, furth of the samyn within sex houris nixteftir the charge, under the pane of tressoun; certifeing thame and thai failye, thay salbe demanyt and persewit as tratouris, and the proces of forfaltour salbe led aganis thame, conforme to the lawis of this realme and Actis of Parliament: That is to say, Andro Hammiltaun of Cohno, the tour and fortalice of Cochno; George Maxwell of New Werk, the tour and fortalice of New Werk; Robert Lord Boyd, the castell, tour, and fortalice of Kilmarnock, and als the tour and fortalice of Law; Hew Erll of Eglintoun, the castellis and fortalices of Eglintoun and Ardrossane; Hew Craufurd of Kilbirny, the castellis and fortalices of Kilbirny and Grenok; Johnne Mure of Rowallane, the tour and fortalice of Rowallane; Johnne Maxwell of Nethirpollok, the tour and fortalice of Nethir Pollok; Robert Lord Elphinstoun, the tour and fortalice of Elphingstoun; Alexander Bruce of Airth, the tour and fortalice of Airth; Thomas Levingstoun of Haning, the tour and fortalice of Hanyng; Williame Lord Levingstoun, the castell, tour, and fortalice of the Callendar; Robert Bruce of Clakmannane, the tour and place of Clakmannane; Johnne Blacater of Tulliallan, the castell, tour, and fortalice of Tulliallan; James Schaw, the tour and fortalice of Sauquhy; James Striveling of Keir, the hous and fortalice of Keir; James Stewart of Down knycht, the castell and fortalice of Down; Johnne Lord Flemyng, the castell, place, and fortalice of Cummernauld; the said James Striveling of Keir, the tour and fortalice of Cadder; Patrik Craufurd of Cartisburne, the hous of Cartisburne; David Barclay of Ladyland, the hous of Ladyland.

Charge on Lord Sympill to intromet with Boghall.

The quhilk day, forsamekill as the hous, place, and fortalice of Boghall, liand within oure Soverane Lordis sherefdome of Renfrew, being presentlie kepit and withhaldin in the name and to the behuif of Johnne Flemyng of Boghall, his Hienes rebell and at his horne, and ane of the cheif haldaris and keparis of his Hienes castell of Dunbartane aganis him and his Hienes authoritie; it is convenient that the same hous and fortalice of Boghall be put in suirtie to the behuif of his Hienes, and the said Johnne, his Hienes rebell foirsaid, denudit of all support and confort thairof quhairthrow he may be manteinit, furnissit and set furthwart in his rebellioun and tressonabill attemptattis aganis his Hienes. Heirfoir ordanis lettres to be direct, to command and charge Robert Lord Sympill, ane of our Soverane Lordis lieutenentis within the West partis, to pas be him self or his servandis in his name, and tak and intromet with the said hous, place, and fortalice of Boghall, and keip and use the samyn in his Hienes name, unsufferand the

said Johnne, his rebell foirsaid, to be supportit, confortit, mantenit, or furnissit be the said hous, or with ony gudis or geir within or about the samyn, as the said Lord Sympill will answer to his Hienes at his uttirmest charge and perrell. For taking, keping, and withhalding of the quhilk hous, place, and fortalice, and intromissioun and disponing of the said Johnnes escheit, gudis and geir, according to the richt and titill maid thairof, oure Soverane Lord will and grantis, and for his Hienes and his successouris decernis and declaris, that he nor his servandis, takaris, keparis and withhaldaris of the said hous, place, and fortalice, sall incur na skayth nor dangeare thairthrow in thair personis, landis or gudis, nor sall nocht be callit or accusit for the samyn criminalie nor civilie be ony maner of way in tyme cuming; exonerand and dischargeand thame of the samyn and of all actioun criminall or civile that may be movit or intentit aganis thame, or ony of thame, thairfoir in tyme cuming simpliciter.

Charge to intromet with Cochnocht.

Forsamekill as for the furtherance of oure Soverane Lordis service in restraning of the personis rebellis and withstandaris of his Hienes authoritie presentlie being within the castell of Dunbartane; neidfull it is and convenient that the tour and fortalice of Cochnocht, now being in the handis of Andro Hammilton of Cochnocht and Johnne Hammilton his sone, be intromettit with and kepit in our said Soveranis name, alsweill for defence of his loving subjectis dalie opprest and heriit be the keparis of the said castell, as for persute of the same keparis and haill favouraris and assistaris to thame as occasioun salbe offerit. Thairfoir my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, ordanis lettres to be direct, chargeing Robert Lord Sympill, ane of our Soverane Lordis lieutenentis in the West partis, to pas be him self or his servandis in his name, and tak and intromet with the said tour and fortalice of Cochnocht, and keip and use the samyn in our Soveranis name, to the effect abonewrittin, as he will answer to his Hienes upoun his allegeance and obedience at his uttirmest charge and perrell; for taking, keping, and withhalding of the said hous, our said Soverane will and grantis, and for his Hienes and his successouris decernis and declaris, that he nor the personis his servandis, takaris, keparis and withhaldaris of the same hous in his Hienes name during his will, sall incur na skayth nor dangeare thairthrow in thair personis, landis, or gudis; nor sall nocht be callit nor accusit for the samyn criminalie nor civile be ony maner of way in tyme cuming, exonerand and dischargeand of the samyn and of all actioun criminall or civile that may be movit or intentit aganis thame or ony of thame thairfoir in tyme cuming simpliciter.

Charge to intromet with New Werk.

Forsamekill as for the furtherance of oure Soverane Lordis service in restraning of the personis rebellis and withstandaris of his Hienes authoritie presentlie being within the castell of Dunbartane, neidfull it is and convenient that the tour and fortalice of New Werk, now being in the handis of George Maxwell of New Werk, be intromettit with and kepit in our said Soveranis name, alsweill for defence of his loving subjectis dalie oppresit and heriit

be the keparis of the said castell, as for persute of the same keparis and haill favouraris and assistaris to thame as occasioun salbe offerit. Thairfoir my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, ordanis lettres to be direct, chargeing Robert Lord Sympill, ane of our Soverane Lordis lieutenentis in the West partis, to pas be him self or his servandis in his name, and tak and intromet with the said tour and fortalice of New Werk, and keip and use the same in our Soveranis name to the effect abonewrittin, as he will answer to his Hienes upoun his allegeance and obedience at his uttirmest charge and perrell; for taking, keping, and withhalding of the said hous, oure said Soverane will and grantis, and for his Hienes and his successouris decernis and declaris that he nor his servandis, takaris, keparis, and withhaldaris of the same hous in his Hienes name during his will, sall incur na skayth nor dangeare thairthrow in thair personis, landis or gudis, nor sall nocht be callit nor accusit for the samyn criminalie nor civilie be ony maner of way in tyme cuming, exoneraand and dischargeand thame of the samyn, and of all actioun criminall or civile that may be movit or intentit aganis thame or ony of thame thairfoir in tyme cuming.

[Warrant in like terms to Robert Lord Sempill to seize the tower, place, and fortalice of The Bar, in the hands of James Glen of The Bar.]

Apud Edinburgh, primo die mensis Junii, anno, etc. lxviii°.

Sederunt. Jacobus Dominus Regens. Jacobus Comes de Mortoun. Patricius Dominus Lindesay. Episcopus Orchadensis. Commendatarius Dunfermling. Commendatarius Balmerynoch. Commendatarius Coldinghame. Secretarius. Thesaurarius. Clericus Justiciarie. Magister Henricus Balnaves.

Charge on Bishop Sanctandrois.

The quhilk day, anent the charge gevin be oure Soverane Lordis lettres to Johnne Archbischop of Sanctandrois, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsale this day, to answer to sic thingis as sould be laid to his charge, under the pane of rebellioun and putting of him to the horne; and gif he failyeit thairin, the said day being bipast, to denunce him rebell and put him to the horne, lyke as at mair lenth is contenit in the saidis lettres. The said Archbischop being oftymes callit and nocht comperand, my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, ordanis the saidis lettres to be put to forder executioun, and the said Archbischop to be denunceit our Soverane Lordis rebell and put to the horne; and all his movabill gudis escheit to his Majesteis use for his contemptioun.

Charge on Bischop of Murray.

The quhilk day, anent the charge gevin to Patrik Bischop of Murray, Commendatare of the Abbay of Scone, be vertew of oure Soverane Lordis lettres, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsall this day, to answer to sic thingis as sould be laid to his charge,

under the pane of rebellioun and putting of him to the horne; and gif he failyeit thairin, the said day being bipast, to denunce him rebell and put him to the horne, lyke as at mair lenth is contenit in the saidis lettres. The said Bischop, being callit and comperand personalie in presens of my Lord Regent and Lordis of Secreit Counsale, he wes ordanit and commandit to remane within the burgh of Edinburgh, and attend upoun his calling agane; and on na wayis to depart, as he will answer thairupoun.

[Like minute that of Robert Bishop of Dunkeld to appear, and having appeared, to remain within Edinburgh.]

Apud Edinburgh, quarto Junii, anno, etc. lxviii°.

Charge on Pryour Quhitherne.

The quhilk day, anent the charge gevin be vertew of our Soverane Lordis lettres to Malcolme Pryour of Quhitherne, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsale this day, to answer to sic thingis as sould be laid to his charge, under the pane of rebellioun and putting of him to the horne; and gif he failyeit thairin, the said day being bipast, to denunce him rebell and put him to the horne, lyke as at mair lenth is contenit in the saidis lettres. The said Pryour being oftymes callit and nocht comperand, my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, ordanis the saidis lettres to be put to forder executioun, and the said Pryour to be denunceit our Soverane Lordis rebell and put to the horne, and all his movabill gudis escheit to his Majesteis use, for his contemptioun.

Apud Edinburgh, secundo die mensis Junii, anno Domini, etc. lxviii°.

Sederunt. Domini ut in die predicto.

Proclamatioun to cum fordwart to Biggar.

Forsamekill as our Soverane Lordis lettres wer proclamit, chargeing all his Majesteis liegis within the boundis of the Sherefdomes of Edinburgh principall, Hadington, Berwik, Roxburgh, Selkirk, Peblis, Linlythquow, Lanark, Striveling, Renfrew, Dunbartane, Air, Perth, Forfar, Kincardin, Fyff, Kinros, Clakmannan, Stewartreis of Stratherne and Menteith, and Baillieries of Kyle Carrik and Cunynghame, to meit his Majesteis dearest cousing James Erll of Murray Lord Abirnethie Regent to his Hienes, his realme and liegis, at Biggar the tent day of Junii instant, as at mair lenth is contenit in the saidis proclamationis. And becaus diverse personis hes stand in doubt quhethir his said Regent wald keip the said appointit dyett or nocht, it is thocht convenient to resolve all personis of the same, that nane heireftir sall pretend occasioun of ignorance. And thairfoir ordanis lettres to be direct, chargeing all and sindry our Soverane Lordis liegis, alsweill dwelland to burgh as to land, within the saidis boundis, be oppin proclamatioun at the marcat croces of the heid burrowis of the saidis sherefdomes, that thai and ilk ane of thame, prepair thame selffis and cum

fordwart in weirlyke maner, with sic provisioun, and providit to remane for sic space, as is contenit in the former proclamationis direct and maid of befoir, and under the panis contenit in the samyn.

Apud Drumfreis, xix° die mensis Junii, anno, etc. lxviii°.

Sederunt. Jacobus Dominus Regens. Jacobus Comes de Mortoun. Alexander Dominus Hume. Patricius Dominus Lindesay. Willelmus Dominus Ruthven. Joannes Dominus Glammis. Patricius Dominus Gray. Allanus Dominus Cathcart.

Command to tak caution for Auchinfranco and Wauchop.

My Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, ordanis cautioun to be ressavit for Auchinfranko and Wauchop, ilk ane under the pane of ane thowsand markis, and of ilkane of the uther four quhilkis wer takin yesterday, under the pane of iii^{c} markis, that thai sall compeir befoir my Lord Regent and Counsale in Edinburgh the first day of Julii.

Cautioun for Lindesay of Barcloy and his servand.

The samyn day, David Lindesay of Pyotstoun and Johnne Lindesay youngar of Kirkforthir, ar becum cautionaris and souerteis, conjunctlie and severalie, that James Lindesay of Barcloy, and Williame Lindesay his servand, sall compeir befoir my Lord Regent and Counsale, at Edinburgh, the first day of Julii nix to cum, thair to remane quhill thai be fred be his Grace and he tak ordour with thame, the said James Lindesay under the pane of j^{m} markis, and the said Williame under the pane of iii^{c} markis; and my Lord Lindesay is actit to releif thame; and Johnne Maxwell of the Hillis actit to releif the said Lord under the panis foirsaidis.

Caution for Auchinfranco and his brother.

The samyn day, the Maister of Sinclair become cautioun and souertie for William Sinclair of Auchinfranko, and Alexander Sinclair his brother to the effect abonewrittin. That is to say, the said Williame under the pane of j^{m} markis, and the said Alexander his brother under the pane of iii^{c} markis; and Johnne Maxwell of the Hillis actit to releif him.

Apud Edinburgh, primo die mensis Julii, anno, etc. lxviii°.

Caution for Lindesay of Barcloy and Auchinfranco.

The quhilk day, Johnne Maxwell of the Hillis, become souertie for James Lindesay of Barcloy and Williame Sinclair of Auchinfranco, that thai sall entir thair personis in ward within the burgh of Perth, and remane within the samyn quhill thai be fred and relevit be my Lord Regentis Grace, ilk persoun under the pane of j^{m} markis.

Discharge of caution of Barcloy and Auchinfranco.

The quhilk day, the saidis James Lindesay and Williame Sinclair askit instrumentis, that thai and Williame Lindesay servand to the said James, and Alexander Sinclair brother to the said Williame, had enterit befoir my Lord Regentis Grace and Lordis of Secreit Counsale this day, according to the tennour of the Actis maid at Drumfreis the xix day of Junii bipast;

and swa had fred and relevit Williame Maister of Sinclair, David Lindesay of Pyotstoun, Johnne Lindesay youngar of Kirkforthir, Johnne Maxwell of the Hillis, and remanent souerteis specifiit in the saidis Actis, alsweill principallis as the utheris actit for thair releif. And my Lord Regentis Grace permittit the saidis Williame Lindesay and Alexander Sinclair to depart hame at thair plesour, dischargeing thame and thair souerteis foir-saidis of the said Act maid the said xix day of Junii, and of all panis contenit thairin.

Apud Edinburgh, sexto die mensis Julii, anno lxviii°.

Cautioun for Johnne Creich-toun of Ryhill.

The quhilk day, Thomas Kennedy of Bargany and Johnne Kennedy youngar of Ardmillane, become souerteis conjunctlie and severalie, for Johnne Creichtoun of Ryhill, that he sall entir befoir my Lord Regentis Grace and Lordis of Secreit Counsale quhen he salbe requirit thairto upoun ten dayis warning, under the pane of j^{m} ℔.

Souertie for Maxwell of Hillis, Maxwell of Conhych, and Maxwell of the Yle.

The quhilk day, Alexander Stewart of Dalswyntoun knycht become souertie for Johnne Maxwell of Hillis and Johnne Maxwell of Conhycht, and James Dowglas of Drumlanrig knycht become souertie for Williame Maxwell of the Ile,—that thai sall trewlie serve the Kingis Majestie and his authoritie as obedient and faythfull subjectis, and ryise, concur, and assist with Sir James Dowglas of Drumlangrig Knycht, his Hienes Wardane of the West Marche of this realme, in all thingis tending to the furthsetting of his Majesteis authoritie, or to the invasioun of sic as sall pretend ony thing aganis the same; as alswa that thai sall compeir and answer upoun thair dewitie and allegeance to be done in that behalf, as thai salbe requirit, on aucht dayis warning under the panis following: that is to say, the said Johnne Maxwell of the Hillis under the pane of j^{m} ℔., the said Johnne Maxwell of Conhych, under the pane of v^{c} ℔., and the said Williame Maxwell of the Ile under the pane of v^{c} ℔.

Apud Edinburgh, xii die mensis Julii, anno etc., lxviii°.

Sederunt. Jacobus Dominus Regens. Jacobus Comes de Mortoun. Patricius Dominus Lindesay. Alexander Dominus Hume. Secretarius. Thesaurarius. Clericus Registri. Clericus Justiciarie.

Neisbit of that Ilk.

Anent our Soverane Lordis lettres rasit at the instance of George Neisbit of that Ilk, makand mentioun; that quhair David Hume of Weddirburne, with his complices, houshald men and servandis,—with convocatioun of our Soverane Lordis liegis, to the nowmer of xxx personis or thairby, bodin in feir of weir, with speris, steilbonettis, and utheris wappynnis invasive, in-contrair the Actis of Parliament, under silence of nycht, upoun Pasche day

Hume of Weddirburne.

last bipast, at ten houris at evin, or thairby,—be way of hame suckin set upoun the said George, within his awin yettis of his dwelling place of Mongoiswellis; and thair cruellie invadit him for his slauchter, and hurt and woundit Adame Cokburne his servand with ane speir, in his hoch, to the greit effusioun of his blude; and ay sensyne the said Laird of Weddirburne, with his complices, invadis, boistis, and persewis the said George and his servandis; swa that he nor thai dar nocht remane and dwell at his awin heretage and dwelling place foirsaid, bot hes bene continewalie sensyne debarrit fra his said dwelling place and heretage. Quhairupoun he complenit to my Lord Regent and Lordis of Secreit [Counsale] befoir thair passing to this last raid and army; and upoun his said complaint, my Lord Regent wrait to the said Lard of Weddirburne in favouris of the said George, yit nochtwithstanding he as yit is debarrit be the said Laird, his men and servandis, fra his heretage and dwelling place foirsaid, to his greit skayth and heirschip. And anent the charge gevin to the said Lard of Weddirburne, to compeir befoir my Lord Regent and Lordis of Secreit Counsale upoun the sext day nixt eftir the charge, to answer to the said complaint, under the pane of rebellioun and putting of him to the horne, with certificatioun to him and he failyeit, lettres sould be direct simpliciter to put him to the horne, lyke as at mair lenth is contenit in the saidis lettres, executionis, and indorsationis thairof. The said George Neisbitt comperand personalie, and the said David Hume of Weddirburne being oftymes callit and nocht comperand, my Lord Regent, with the avise of the Lordis of Secreit Counsall, ordanis lettres to be direct, chargeing the said David Hume of Weddirburne, yit as of befoir, to compeir befoir his Grace and Lordships at Edinburgh, or quhair it sal happin thame to be for the tyme, upoun the sext day nixt eftir the charge, to answer to the said complaint, under the pane of rebellioun and putting of him to the horne; and gif he failyeis thairin, the said day being bipast, to denunce him rebell and put him to the horne, and to escheit, etc., becaus he wes chargeit heirto of befoir, under the pane of rebellioun, with certificatioun as said is, and comperit nocht.

Apud Striveling, xxiii Julii, anno, etc. lxviii°.

Souertie for Blacater.

The quhilk day, Maister Williame Schaw Provest of Abirnethie, Williame Schaw youngar of Knokhill, Johnne Schaw of Broycht, and James Schaw burges of Striveling, ar becum souerteis, conjunctlie and severalie, that Capitane Patrik Blacater sall compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsale, quhen he salbe requirit, on sex dayis warning, to answer to sic thingis as salbe laid to his charge under the pane of j^{m} l̃. ; and James Schaw of Sawchy and James Schaw his sone and apperand air obleist thame to releif the saidis personis of the said souertie. Sic subscribitur, Mr. Williame Schaw Provest of Abirnethy. Johnne Schaw of Broycht. Williame Schaw. Sauquhy. James Schaw.

Apud Striveling, primo die mensis Augusti, anno, etc. lxviii°.

Sederunt. Jacobus Dominus Regens. Alexander Comes de Glencarne. Joannes Comes de Mar. Joannes Magister de Grahame. Commendatarius de Dunfermling. Commendatarius de Balmerynoch. Thesaurarius.

Charge on Erll of Crawfurd.

The quhilk day, David Erll of Crawfurde being oftymes callit, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsale, to answer to sic thingis as sould be laid to his charge—as he that wes lauchfullie chargeit thairto be vertew of our Soverane Lordis lettres upoun sex dayis warning—under the pane of rebellioun and putting of him to the horne. And the said Erll nocht comperand, my Lord Regentis Grace and Lordis of Secreit Counsale ordanis the saidis lettres to be put to executioun, and the said David Erll of Craufurde to be ordourlie denunceit rebell and put to the horne, and all his movabill gudis escheit and inbrocht to oure Soverane Lordis use, for his contemptioun, eftir the forme and tennour of the saidis lettres.

Apud Striveling, secundo Augusti, anno, etc. lxviii°.

Charge on Laurence Lord Oliphant.

The quhilk day, Laurence Lord Oliphant, being oftymes callit to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsale, to answer to sic thingis as sould be laid to his charge—as he that wes lauchfullie chargeit thairto be vertew of our Soverane Lordis lettres upoun sex dayis warning—under the pane of rebellioun and putting of him to the horne. And the said Lord nocht comperand, my Lord Regentis Grace and Lordis of Secreit Counsale ordanis the saidis lettres to be put to executioun, and the said Laurence Lord Oliphant to be ordourlie denunceit rebell and put to the horne, and all his movabill gudis eschetit and inbrocht to our Soverane Lordis use for his contemptioun, eftir the forme and tennour of the saidis lettres.

Apud Striveling, quinto Augusti, anno, etc. lxviii°.

Sederunt. Jacobus Dominus Regens. Jacobus Comes de Mortoun. Joannes Comes de Mar. Alexander Comes de Glencarne. Joannes Magister de Grahame. Robertus Dominus Sympill. Patricius Dominus Lindesay. Willelmus Dominus Ruthven. Episcopus Orchadensis. Commendatarius Dunfermling. Commendatarius Balmerynoch. Secretarius. Clericus Justiciarie. Thesaurarius. Presidens.

Proclamatioun that all men contene thame in dew obedience.

Forsamekill as it is understand to our Soverane Lord, his dearest cousing James Erll of Murray Lord Abirnethie—Regent to his Hienes his realme and liegis, and Lordis of his Secreit Counsale; how certane his Majesteis subjectis,—quhairof the maist part and principallis nocht onelie consentit votit and subscrivit to the furthsetting and establissing of his Hienes authoritie, bot in name of the same authoritie reddelie answerit and obeyit all thingis proceding of the same, alsweill in jugement as outwith sitting

in place of justice, executand jugement to his Hienes subjectis,—hes now of lait cassin of all debtfull obedience, promittit and aucht be thame to his Majestie, and in thair maner hes maid pretendit proclamationis at diverse marcat croces of the heid burrowis of the realme, meaning thairby to set up ane uther authoritie, and to entyse and perswade our Soveranis trew subjectis, to abstract thair dew obedience fra his Hienes gif tymous remeid be nocht providit. For remeid quhairof, ordanis lettres to be direct, to command and charge all our Soverane Lordis liegis be oppin proclamationis at the marcat croces of the heid burrowis of this realme and utheris places neidfull, that thai and everie ane of thame contene thame selffis in his Hienes dew obedience, as it becumis faythfull and gude subjectis; and on na wyis to answer, intend, and obey ony uther pretendit authoritie bot his Hienes, nor yit to attempt ony thing directlie or indirectlie aganis the same, as thai will eschew his Hienes uther wraith and displesour, and under all hieast pane and offence, cryme and injurie that thai and everie ane of thame may commit and inrin aganis his Majestie in that part; certifeing thame and thai do in the contrair, thay salbe repute, haldin, usit and demanit as inobedient and seditious subjectis, committaris of rebellioun and conspiracie aganis thair native Soverane, as alsua perturbaris of the commoun weill, and the caus and occasioun of the schedding of saikles blude, gif throw thair conspiracy ony sall follow thairon.

Proclamatioun that all contenit in the Summondis of tressoun mak offeris, or thai be forfaltit.

Forsamekill as thair is diverse personis presentlie under summondis of tressoun in point to be forfaltit at the Parliament approcheing, for thair tressonabill defectioun and conspiracy aganis oure Soverane Lordis authoritie; thairfoir it is thocht expedient be my Lord Regentis Grace and Lordis of Secreit Counsale, that all nobilmen or utheris our Soveranis gude subjectis that hes ony of thair freindis and kynnismen amangis the nowmer of thame contenit in the said summondis of tressoun, that thai speik and bring offeris of obedience for thame, owther be the personis thame selffis or subscrivit be thair hand writtis betuix and the xiii day of August instant at nycht; certifeing thame that failyeis thai will nocht be hard thaireftir.

Bellis of Kirkpatrik to my Lord Sympill.

The quhilk day, my Lord Regentis Grace, with avise of the Lordis of Secreit Counsall, ordanis the bells of Kirkpatrik to be deliverit to my Lord Sympill to be employit be him in the furthsetting of the Kingis service as he sall think expedient.

Apud Striveling, sexto Augusti, anno, etc. lxviii°.

Sederunt. Jacobus Dominus Regens. Joannes Comes de Mar. Thesaurarius. Clericus Justiciarie. Commendatarius Dunfermling. Commendatarius Balmerynoch.

Souertie for the Lard of Stanebyris.

The quhilk day, Johnne Somervile of Cambusnethame become souertie that the Laird of Stanebyris salbe presentit befoir my Lord Regentis Grace,

quhair he sal happin to be for the tyme the xv day of August instant, in the same state that he wes takin fra the scule, under the pane of ane thowsand pundis.

The quhilk day, Thomas Weir of the Kirktoun of Carlowk and Weir tutour of Stanebyris obleist thame to releif the said Lard of Cambusnethame of the said souertie under the pane foirsaid.

Apud Edinburgh, decimo die mensis Augusti, anno lxviii°.

Anent our Soverane Lordis lettres rasit at the instance of Maister Robert Richertsoun Commendatare of Sanct Marie Ile, Thesaurare to our Soverane Lord; makand mentioun; that quhair be vertew of ane contract and appointment maid betuix umquhile his Majesteis dearest fader of nobill memorie the Quenis Grace his moder on that ane part; and Johnne Erll of Atholl on that uther part; actit and registrat in the bukis of Secreit Counsale and decernit to have the strenth of ane Act and decreit of the Lordis thairof,—thair wes licence grantit to the said Erll, his asignayis, factouris and servandis ane or ma, to win or caus be win fourty thowsand stane wecht—comptand sex scoir stanis for ilk hundrith—of leid ure, and mair, gif the samyn may gudelie be win, within the Nethir leid hoill of Glengonar and Winlok; and to transport and carie the samyn furth of this realme to the partis of Flanderis or ony part quhair thai pleis: providing that the samyn be first weyit and markit be ane to be depute thairto. For the quhilk, the said Erll obleist him to pay to our said Soveranis dearest fader and moder thair Thesaurare than present or being for the tyme—or to quhome thair Hienessis sould depute to that effect—for everie thowsand stane wecht trone wecht as said is of the said leid ure, fiftie unces fyne silver in maner and at the termis following: That is to say, for everie thre thowsand stane wecht within twa monethis eftir the weying and marking of everie thre thowsand stane wecht; and swa furth for everie thre thowsand stane wecht during the space of the said licence grantit for fyve yeris; as the said contract and the saidis Lordis decreit interponit thairto mair fullelie proportis. And it is of veritie that be ane uther contract maid betuix the said Erll on that ane part; and Johnne, Robert and Thomas Johnnestonis, and Robert Ker, Burgessis and indwellaris of Edinburgh as principallis; and Lucas Wilsoun cautionar for the said Thomas Johnnestoun, James Johnnestoun of Kellobankis cautionar for the said Robert Johnnestoun, Robert Craig cautionar for the said Johnne Johnnestoun, and James Aikman cautionar for the said Robert Ker on that uther part; actit and registrat in the saidis bukis of Secreit Counsale, and decernit to have the strenth of ane decreit of the Lordis thairof.—The said Erll maid and constitute the said Robert Ker, Johnne Johnnestoun of the Cotis, Thomas Johnnestoun and Robert Johnnestoun, burgessis foirsaidis, his irrevocabill assignayis in and to the said licence, and hes transferrit his rychttis thairof in thame; for the quhilk thai

The leid ure.

and thair souerteis foirsaidis hes obleist thame to content and pay to our said Soveranis dearest fader and moder the dewitie befoir expremit contenit in the said tak licence, viz., fiftie unces of fyne silver for everie thowsand stane wecht of the said leid ure within twa monethis nixt and immediatlie following the weying and selling of the said leid ure eftir that thai have recoverit and intromettit, weyit, and sellit thre thowsand stane thairof, as the said contract maid thairupoun and the saidis Lordis decreit interponit thairto siclike mair fullelie proportis. And howbeit that the saidis assignayis, be thame selffis and utheris in thair names, hes win and hes in reddines fourty thowsand stane wecht of leid ure, with the mair; and that according to the conditionis of the saidis contractis respective, the said Erll and thai respective ar obleist to haif causit wey and mark everie thre thowsand stane wecht thairof within twa moneths nixt eftir the weying and marking thairof as said is; nochttheles thai, myndit allutirlie as apperis to defraude our Soverane Lord of the dewitie foirsaid aucht to his Majestie of the said leid ure, wranguslie postponis and differis to present the said fourty thowsand stane wecht of leid ure win be thame as said is to David Fores generall of the cunye hous, depute be his Majestie for weying and marking thairof; to the effect that the samyn may be weyit and markit, and thai to pay fiftie unces of silver for everie thowsand wecht of the samyn within twa monethis nixt eftir the weying and marking thairof without thai be compellit. And anent the charge gevin to the said Thomas Johnnestoun and Lucas Wilsoun his souertie, Robert Johnnestoun and James Johnnestoun of Kellowbankis his souertie, Johnne Johnnestoun and Robert Craig his souertie, Robert Ker and James Aikman his souertie, to exhibit and present the saidis fourty thowsand stane wecht of leid ure with sa mekill mair as thai haif win, befoir the said David Fores depute foirsaid for weying and marking thairof, to be weyit and markit be him upoun thair expenssis within sex dayis nixt eftir the charge; and thay to pay to the said Thesaurare in our Soverane Lordis name fifty unces of fyne silver for everie thowsand stane wecht thairof within twa monethis nixt eftir the weying and marking of the samyn, conforme to the saidis contractis maid thairupoun; or ellis that thai compeir befoir my Lord Regent and Lordis of Secreit Counsale this day and schaw ane ressonabill caus quhy the samyn sould nocht be done; with certificatioun to thame and thai failyeit thairin, lettres sould be direct simpliciter upoun thame in the said mater, as at mair lenth is contenit in the saidis lettres, executioun and indorsatioun thairof. The said Thesaurare comperand be Johnne Johnnestoun writtar his servand, and the said Robert Ker comperand personalie for himself and in name and behalf of his collegis abonewrittin, grantit and confessit that thair wes fourty thowsand stane wecht of the said leid ure ellis win. The ressonis and allegationis of bayth the partiis being hard and understand, my Lord Regentis Grace and Lordis of Secreit Counsale foirsaidis, ordanis lettres to be direct, chargeing the said Thomas Johnnestoun and Lucas Wilsoun his souertie, the said Robert Johnnestoun and James Johnnestoun of Kellowbankis his souertie, the said Johnne Johnnestoun and Robert

Craig his souertie, the said Robert Ker and James Aikman his souertie, to exhibit and present the saidis fourty thowsand stane wecht of leid ure with sa mekill mair as thai haif win befoir the said David Fores depute foirsaid, to be weyit and markit be him upoun thair expenssis within sex dayis nixt-eftir thai be chargeit thairto; and that thai pay to the said Thesaurare, in our Soverane Lordis name, fiftie unces of fyne silver for everie thowsand stane wecht thairof within twa monethis nixt eftir the weying and marking of the samyn, conforme to the saidis contractis maid thairupoun, under the pane of rebellioun and putting of thame to the horne; and gif thai failye owther in the exhibitioun and presenting of the said leid ure within the said space of sex dayis eftir the charge, or in payment of the said fyne silver to the Thesaurare within twa monethis eftir the weying and marking of the said leid ure,—to denunce thame rebellis and put thame to the horne, and to escheit, etc.; becaus the saidis personis being chargeit be vertew of the saidis lettres to the effect foirsaid, or ellis to haif schawin ane ressonabill caus quhy the samyn sould nocht haif bene done, comperand be the said Robert Ker thair college schew na ressonabill cause in the contrair.

Apud Edinburgh, xii Augusti, anno, etc. lxviii°.

Souertie for Archibald Naper of Marchanistoun.

The quhilk day, Johne Cunynghame of Drumquhassill become souertie for Archibald Naper of Marchanistoun, that he sall remane in ward within the burgh of Edinburgh and twa mylis about the samyn, and als sall compeir befoir my Lord Regent and Lordis of Secreit Counsale, to answer to sic thingis as salbe inquirit of him at his cuming, as he salbe requirit on sex houris warning, owther personalie or at his hous of Marchanistoun, under the pane of twa thowsand pundis; and the said Archibald obleist him to releif the said Johnne of the samyn.

Apud Edinburgh, xiiii Augusti, anno, etc. lxviii°.

Sederunt. Domini ut in die predicto.

Ormistoun of West House.

Alexander Hoppringill.

Anent our Soverane Lordis lettres purchest be Williame Ormistoun of Westhous, makand mentioun, that quhair he being put to the horne for noncomperance befoir the Justice to underly the law for intercommoning with James Ormistoun of that Ilk, and Robert Ormistoun brother to the said Williame, our Soverane Lordis rebellis; his Majestie, with avise of his dearest cousing James Erll of Murray, Lord Abernethie, Regent to his Hienis, his realme and liegis, gaif and disponit the said Williames escheit to Alexander Hoppringill servand to the Lard of Cesfurde quha be vertew thairof intromettit with his haill gudis and geir; and thaireftir be ane uther writting purchest of my said Lord Regent, the said Alexander enterit within the said Williames place, voltis and bigging within his barmekin of Westhous; and put furth his wyff and servandis out of the samyn, intromettit with his haill plenissing, and left him na thing erdlie. And sensyne it plesit our said Soverane Lord, with avise of my Lord Regent, to

pardoun the said Williame of the said cryme and ressave him in favouris; nocht the les, the said Alexander detenis his said place fra him, intromettis with the proffiettis of the mylne of Westhous and fischeing in the watter of Tweid, pertening to the said Williame in few and heretage; albeit eftir the said William wes relaxit fra the horne, the said Alexander could pretend na rycht thairto, and aucht nocht to intromet with the same; and sa lang as he withhaldis the said Williames place fra him, he will nocht faill to intromet with his haill pouer leving, and swa to put him, his wyff and familie to extreme povertie, lyke as at mair lenth is contenit in the saidis lettres. And anent the charge gevin to the said Alexander Hoppringill, to compeir befoir my Lord Regent and Lordis of Secreit Counsale this day, to answer to the said complaint; bayth the partiis comperand personalie, thair ressonis and allegationis being hard, understand, and considerit, my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, remittis the said mater to the Lordis of Counsale and Sessioun, or to the Baillie of the regalitie of Melrose and his deputtis, or to utheris jugeis competent quhatsumevir; and ordanis thame to do justice thairin, as thai will answer to God, and upoun executioun of thair offices.

Apud Edinburgh, xvi Augusti, anno, etc. lxviii°.

Charge on Bischop of Glasgow and Kilwynning.

The quhilk day, James Archebishop of Glasgow, and Gawin Commendatare of Kilwynning, being oftymes callit to compeir befoir our Soverane Lord, his dearest uncle James Erll of Murray Lord Abirnethie his Hienes Regent, and Lordis of Secreit Counsale this day, as thai that wer lauchfullie commandit and chargeit, be vertew of our Soverane Lordis lettres, at thair dwelling places, and utheris places neidfull, be oppin proclamatioun as efferit upoun lx dayis warning, to answer to sic thingis as sould be askit at thame, and laid to thair charge, under the pane of rebellioun and putting of thame to the horne. And the saidis Archebischop and Commendatare nocht comperand, my Lord Regentis Grace and Lordis of Secreit Counsale foirsaidis, ordanis the saidis lettres to be put to dew executioun; and the saidis Archebischop and Commendatare to be ordourlie denunceit rebellis and put to the horne, and all thair movabill gudis escheit and inbrocht to his Hienes use for thair contemptioun, eftir the forme and tennour of the saidis lettres.

Apud Edinburgh, xx Augusti, anno, etc. lxviii°.

Ordanis Williame Stewart to be put to the horne.

The quhilk day, Williame Stewart of Luthre Knycht Lyoun King of Armes, being oftymes callit and nocht comperand, to answer according to the tennour of our Soverane Lordis lettres to sic thingis as sould be inquirit of him, my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, ordanis the saidis lettres to be put to executioun, and the said Williame to be denunceit rebell and put to the horne, according to the tennour of the saidis lettres and justice.

Apud Edinburgh, xxiii Augusti, anno, etc. lxviii°.

Sederunt. Jacobus Dominus Regens. Jacobus Comes de Mortoun. Alexander Comes de Glencarne. Robertus Dominus Sympill. Patricius Dominus Lindesay. Andreas Dominus Uchiltre. Joannes Dominus Invermeyth. Episcopus Orchadensis. Commendatarius de Dunfermling. Commendatarius de Balmerynoch. Secretarius. Clericus Justiciarie. Magister Henricus Balnaves.

Ordanis Lard of Lamyngtoun to find cautioun.

The quhilk day, my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, ordanis Williame Baillie of Lamyngtoun, to find cautioun to remane in ward with Patrik Lord Lindesay of the Byris, and na wyis to eschaip nor eschew furth of his cumpany; and that he, his freindis and servandis, sall serve the Kingis Majestie and his authoritie aganis all utheris, under the pane of fyve thowsand markis.

Souertie for the Lard Fawsyde.

The quhilk day, Andro Stevinstoun and George Hereot goldsmyth, burgessis of Edinburgh, ar becum souerteis, conjunctlie and severalie, that Thomas Fawsyde of that Ilk sall remane within the burgh of Edinburgh, and on na wayis depart eschaip nor eschew furth of the samyn, quhill my Lord Regentis Grace haif takin ordour with him, and his licence obtenit to that effect, under the pane of ane thowsand pundis; and the said Thomas obleist him to releif the saidis souerteis of the said cautioun. Sic subscribitur, Andro Stevinsoun, with my hand. George Heriot, with my hand. Thomas Fawsyde of that Ilk.

Souertie for Lawsoun of Humby and Wauchop of Caikmure.

The quhilk day, Duncane Levingstoun burges of Edinburgh, Maister George Portuus in Leyth, and Robert Portuus in Dalkeyth, ar becum souerteis, conjunctlie and severalie, that Robert Lawsoun of Humby and Adame Wauchop of Caikmure sall compeir personalie befoir my Lord Regent and Lordis of Secreit Counsale within the burgh of Edinburgh, betuix the dait heirof and Settirday at evin, the xxi day of August instant; and sall on na wayis depart eschaip nor eschew furth of the said burgh, quhill my said Lord Regent haif takin ordour with thame, and his licence obtenit to that effect, the saidis Robert Lawsoun, under the pane of fyve thowsand markis, and the said Adam Wauchop under the pane of ane thowsand pundis; and George Hume of Spott and George Rentoun of Billie obleist thame, conjunctlie and severalie, to releif the saidis cautionaris of this present souertie, and all pane and dangeir that may succeid thairof. Sic subscribitur, Duncane Levingstoun. Maister George Portuus. Robert Portuus.[1]

[1] Act of souertie for Patrik Blacater heir omittit salbe fund on the xvi leif eftir, at this mark ⌐¬.—[This is on the margin. The mark leads to the Register for May and June 1569, and there the entry will be found with a marginal intimation that it is delete.]

Apud Edinburgh, septimo die mensis Septembris, anno, etc. lxviii°.

Souertie for Sinclair of Auchinfranco.

The quhilk day, Maister Robert Dowglas Provest of Lincluden become souertie for Williame Sinclair of Auchinfranco, that he sall compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsale, quhen he salbe requirit upoun viii dayis warning, under the pane of five hundrith pundis. Sic subscribitur, Robert Dowglas.

Apud Edinburgh, octavo die mensis Septembris, anno, etc. lxviii°.

Cautioun for Moncur.

The quhilk day, in presens of my Lord Regentis Grace and Lordis of Secreit Counsale, comperit Williame Moncreiff youngar of that Ilk, and Capitane David Murray, and become actit and obleist, conjunctlie and severalie, as cautionaris, that Capitane David Moncur sall depart towart Denmark, to the Kingis Majestie of Denmarkis service, in the schip quhairin his cumpany is alreddy embarkit, sa sone as wind and weddir will serve to that effect; and als that the said Capitane sall lelelie and trewlie serve the said King in his wearis sa lang as he ressavis his wageis, lyke as Axellus Wessart Commissionar for his Hienes, promittit and undertuke that the said David sould be weill and thankfullie payit of his saidis wageis.

Apud Edinburgh, nono die mensis Septembris, anno, etc. lxviii°.

Sederunt. Jacobus Dominus Regens. Jacobus Comes de Mortoun. Patricius Dominus Lindesay. Episcopus Orchadensis. Commendatarius Dunfermling. Commendatarius Balmerynoch. Secretarius. Clericus Justiciarie. Magister Henricus Balnaves.

Decreit aganis George Hume and Johnne Cant for non presenting Capitane Cullane.

Anent our Soverane Lordis lettres purchest be Maister Johnne Spens of Condy, his Hienes Advocat, makand mentioun, that quhair George Hume and Johnne Cant, indwellaris of Leyth, become plegeis and souerteis, conjunctlie and severalie, actit in the bukis of adjornall, for Capitane James Cullane, that he sould compeir and entir befoir my Lord Regentis Grace and Lordis of Secreit Counsale upoun xx dayis warning, to answer to sic thingis as sould be laid to his charge, under the pane of fyve hundrith pundis, as ane Act maid thairupoun in the saidis bukis of the dait the last day of Januare last bipast beris. And anent the charge gevin to the saidis George Hume and Johnne Cant, cautionaris and souerteis abonewrittin, conjunctlie and severalie, to entir and present the said Capitane James Cullane befoir my said Lord Regent and Lordis of Secreit Counsale upoun the xx day nixt eftir thai wer chargeit thairto to the effect abonewrittin, eftir the forme and tennour of the said Act of adjornall and under the panis abonewrittin contenit thairin, certifeing thame and thai failyeit, lettres of poinding or horning sould be direct aganis thame for payment of the saidis panis lyke as at mair lenth is contenit in the saidis lettres, executioun and indorsatioun thairof. The said George Hume and Johnne

Cant being oftymes callit and nocht comperand, my Lord Regentis Grace and Lordis of Secreit Counsale, ordanis lettres to be direct, to appryise, compell, poind, and distrenye the saidis George Hume and Johnne Cant, cautionaris and souerteis abonewrittin, conjunctlie and severalie, thair landis, and mak penny of thair reddiest gudis, and failyeing of thair movabill gudis, to appryise thair landis eftir the forme of the Act of Parliament, to the availe of the said sowme and pane of fyve hundrith pundis, and mak our said Soverane Lordis Thesaurare in his Hienes name to be payit thairof; or ellis to charge the saidis George Hume and Johnne Cant, conjunctlie and severalie, to content and pay the said sowme of v^{c} ℔. to our Soverane Lordis Thesaurare within sex dayis nixt eftir thai be chargeit thairto, under the pane of rebellioun and putting of thame to the horne; and gif thai failye thairin, the saidis sex dayis being bipast, to denunce thame rebellis and put thame to the horne, and escheit and inbring all thair movabill gudis to our Soverane Lordis use for thair contemptioun.

Apud Edinburgh, decimo sexto Septembris, anno, etc. lxviii°.

Discharge to my Lord Mortoun of the Quenis box and writtingis.

The quhilk day, the nobill and potent prince James Erll of Murray, Lord Abirnethie, Regent to our Soverane Lord, his realme and liegis, grantit and confessit to have ressait fra James Erll of Mortoun, Lord of Dalkeyth, Chancellar of Scotland, ane silver box owergilt with gold, with all missive lettres, contractis or obligationis for mariage, sonets or luif ballettis, and utheris lettres contenit thairin, send and past betuix the Quene our said Soverane Lordis moder and James sumtyme Erll Boithuile. Quhilk box and haill peces within the samyn wer takin and fund with umquhile George Dalgleische, servand to the said Erll Bothuile, upoun the xx day of Junii, the yeir of God j^{m}v^{c} thre scoir sevin yeris. And thairfoir the said Lord Regent for himself, and takand the burding upoun him for the remanent nobilmen and utheris professing the querrell and obedience of our said Soverane Lord, exoneris quitclamis and dischargeis the said Erll of Mortoun of the said box and of all the saidis missive writtingis, contractis, obligationis, sonets, luif ballettis, and utheris lettres quhatsumevir, fund and contenit thairin the tyme of his recept and intromissioun thairwith. Testifeing and declaring that he hes trewlie and honestlie observit and kepit the said box and haill writtis and pecis foirsaidis within the same, without ony alteratioun, augmentatioun, or diminutioun thairof in ony part or portioun; and als the said Lord Regent, upoun his honour, faithfullie promittis that the saidis haill lettres and writtingis salbe alwayis readie and furthcumand to the said Erll of Mortoun and remanent nobill men that enterit in the querrell of revengeing of the King our Soverane Lordis faderis murthour, quhensoevir thai sal haif to do thairwith, for manifesting of the ground and equitie of thair procedingis to all quhome it efferis.

Apud Edinburgh, decimo sexto Septembris, anno, etc. lxviii°.

Charge to intromet with Dunglas.

Forsamekill as for furthering of our Soverane Lordis service in restraning of the personis rebellis and withstandaris of his Majesteis authoritie pre-

sentlie being within the castell of Dunbartane, neidfull it is and convenient that the hous and forth of Dunglass, liand ewest to the said castell, be intromettit with and kepit in his Hienes name, alsweill for defence of his Majesteis loving subjectis dalie opprest and heriit be the keparis of the said castell, as for persute of the same keparis and all favouraris and assistaris to thame as occasioun salbe offerit. Thairfoir my Lord Regent, with avise of the Lordis of Secreit Counsale, ordanis lettres to be direct, chargeing Robert Lord Sympill, ane of our Soverane Lordis lieutenentis within the West partis, to pas be himself or his servandis in his name, and tak and intromet with the said forth and hous of Dunglass, and keip and use the same in his Majesteis name to the effect abonewrittin, as he will answer to his Hienes upoun his allegeance and obedience at his uttirmest charge and perrell. For taking, keping, and withhalding of the said hous and forth, his Majestie will and grantis and for his Hienes and his successouris decernis and declaris that he nor the personis, his servandis, takaris, keparis, and withhaldaris of the same hous and forth in his Graces name, during his Hienes will, sall incur na skayth nor dangeir thairthrow in thair personis landis or gudis, nor sall nocht be callit nor accusit for the samyn criminalie nor civilie be ony maner of way in tyme cuming; exonerand and dischargeand thame of the samyn and of all actioun, criminall or civile, that may be movit or intentit aganis thame or ony of thame thairfoir in tyme cuming simpliciter.

Apud Edinburgh, decimo octavo Septembris, anno, etc. lxviii°.

Sederunt. Jacobus Dominus Regens. Jacobus Comes de Mortoun. Patricius Dominus Lindesay. Allanus Dominus Cathcart. Episcopus Orchadensis. Commendatarius Dunfermling. Commendatarius Balmerynoch. Secretarius. Clericus Justiciarie. Magister Henricus Balnaves.

Decreit on Manderstoun and Blanern for non presenting Mr. Duncane Forbes and his brother.

Anent our Soverane Lordis lettres rasit at the instance of Maisteris Johnne Spens of Condy and Robert Creichtoun of Elyok his Hienes Advocattis, makand mentioun; that quhair Alexander Hume of Manderston and Johnne Lumesden of Blanerne become souerteis, conjunctlie and severalie, actit in the bukis of adjornall, for Maister Duncane Forbes of Monymusk and Johnne Forbes of Petsligo his brother, that thai sould compeir befoir my Lord Regent and Lordis of Secreit Counsale upoun xv dayis warning as thai be chargeit thairto, to heir and se forder triall tane anent the allegit cunyeing of fals babeis, ilkane of the saidis personis under the pane of ane thowsand markis, conforme to ane deliverance of the Quene moder to our Soverane Lord, thairupoun, as in ane Act maid upoun the samyn in the saidis bukis of the dait the xx day of March the yeir of God j^{m}v^{c}lxiii yeris beris. And anent the charge gevin to the saidis Alexander Hume and Johnne Lumesden as cautionaris and souerteis abonewrittin, conjunctlie and severalie, to entir and present befoir my Lord Regent and Lordis of Secreit Counsale the saidis Maister Duncane and Johnne Forbessis at ane

certane day bigane to the effect abonementionat, eftir the forme and tennour of the said Act of adjornall and under the panis abonewrittin contenit thairin; certifeing thame and thai failyeit, lettres of poinding or horning sould be direct aganis thame for payment of the saidis panis, as the saidis lettres, executionis, and indorsationis thairof at mair lenth proportis. The saidis souerteis being oftymes callit and nocht comperand, my Lord Regent, with avise of the Lordis of Secreit Counsale, decernis and ordanis lettres to be direct to officiaris of armes, Sheriffis in that part, chargeing thame to pas, command, and charge the saidis Alexander Hume and Johnne Lumisden as cautionaris and souerteis abonewrittin, conjunctlie and severalie, to mak payment for ilkane of the personis abonewrittin of the said sowme of ane thowsand markis, to the Thesaurare or utheris in his name, eftir the forme and tennour of the said Act of adjornall and lettres, within xv dayis nixteftir thai be chargeit thairto, under the pane of rebellioun and putting of thame to the horne; quhilkis xv dayis being bipast, to denunce thame rebellis and put thame to the horne, and to escheit, etc.; and als, gif neid be, to poind and distrenye thair reddiest movabill gudis and geir; and failyeing of thair movabill gudis, to appryise thair landis, conforme to the Act of Parliament, to the avale and quantitie of the sowme and panis abonewrittin, ilkane of thame for thair awin partis respective; and mak payment of the samyn to the said Thesaurare in our Soverane Lordis name, eftir the forme and tennour of the said Act and lettres, becaus the saidis personis being warnit to present the saidis Maister Duncane and Johnne in maner foirsaid, with certificatioun as said is failyeit thairintill.[1]

Apud Edinburgh, xxi Septembris, anno, etc. lxviii°.

Cautioun for Thomas Hendirsoun.

The quhilk day, Thomas Todenar burges of Edinburgh become souertie, to entir Thomas Hendirsoun burges of Jedburgh befoir my Lord Regentis Grace and Lordis of Secreit Counsale quhen he salbe requirit upoun sex dayis warning, under the pane of fyve hundrith pundis. Sic subscribitur, Thomas Todenar with my hand.

Eftir this day thair wes na Counsall haldin, bot my Lord Regentis Grace and a greit nowmer of the nobilmen and utheris of the Counsall departit to England for greit and wechtie materis, concerning the state of the Kingis Majestie oure Soverane Lord and commoun weill of this cuntre, and returnit not quhill the first day of Februare.

[1] Deleit be warrand and command subscrivit be the Lordis of Secreit Counsall, daitit at Haliruidhous the xvii of Januare 1580. Joannes Andro. [Marginal note written in a different hand from that of the Register.]

Statutes 1525 and 1535, Act. Parl. Scot., vol. ii. pp. 297, 342.

Apud Striveling, duodecimo die mensis Februarii, anno, etc. lxviii°.

Sederunt. Jacobus Dominus Regens. Joannes Comes de Atholl. Jacobus Comes de Mortoun. Joannes Comes de Mar. Alexander Comes de Glencarne. Willelmus Comes de Menteith. Robertus Comes de Buchane. Joannes Magister de Grahame. Willelmus Magister de Marschell. Andreas Magister de Errole. Patricius Dominus Ruthven. Joannes Dominus Glammis. Alexander Dominus Saltoun. Joannes Dominus Invermeyth. Allanus Dominus Cathcart. Andreas Dominus Uchiltre. Episcopus Orchadensis. Commendatarius de Dunfermling. Commendatarius de Balmerynoch. Commendatarius de Dryburgh. Commendatarius de Cambuskynneth. Commendatarius de Coldinghame. Commendatarius de Quhitherne. Secretarius. Thesaurarius. Computorum Rotulator. Clericus Justiciarie. Clericus Registri. Spens Advocatus. Commissaris for the Burrowis of Edinburgh, Striveling, Dunde, Peblis, Glasgow, Cowpar, Sanctandrois, Perth, Hadingtoun.

Allowance of Procedingis in England.

The haill Lordis of the Previe Counsale and utheris of the nobilitie and estaittis abonewrittin allowit the procedingis of my Lord Regentis Grace and Lordis Commissionaris that wer with him in the realme of England, the same procedingis being declarit and red to thame.

Apud Striveling, xiiii Februarii, anno, etc. lxviii°.

Sederunt. Domini ut in die predicto.

Anent preparatioun of force aganis the rebellis.

The quhilk day, my Lord Regentis Grace and Lordis of Secreit Counsale, persaving the greit defectioun and unnatural dissobedience that hes bene aganis our Soverane Lord and his authoritie sen his Hienes coronatioun—bot principallie during the tyme of my Lord Regentis Grace absence furth of this realme—quhilk now of necessitie mon be repressit with force gif dew submissioun and obedience be nocht schortlie maid; and to the effect that all neidfull thingis tending to the preparatioun of force may be providit and na thing that may induce the rebellious and dissobedient subjectis to acknawlegeing of thair dewitie be neglectit, the personis underwrittin wer nominat to travell for the effectis following: that is to say, nobill and michtie Lordis—Johnne Erll of Atholl, Lord of Balvany; James Erll of Mortoun, Lord of Dalkeyth, Chancellar of Scotland; Johnne Erll of Mar, Lord Erskin; Alexander Erll of Glencarne, Lord of Kilmawris; Williame Kirkcaldy of Grange knycht, capitane of the Castell of Edinburgh; Maister James Halieburtoun Provest of Dunde; Thomas Kennedy of Bargany; Williame Leslie of Balquhane; Johnne Cragingilt of that Ilk; and Alexander Clerk burges of Edinburgh;—to consult and avise anent the preparatioun of force for persute and invasioun of the saidis rebellious and dissobedient subjectis; and als Adame Bischop of Orknay, Williame

Maitland of Lethingtoun youngar Secretare, Sir James Balfour of Pettindreych knycht President of the College of Justice, Maister James Makgill of Rankelour Nethir Clerk of Register, Maister Henry Balnaves of Halhill, Sir Johnne Wischert of Pittarro knycht, Johnne Colquhoun of Luss, Williame Cuninghame of Cunynghameheid, Sir David Lindesay of Rathulet knycht Lyon King of Armes and Provest of Coupar, and James Baroun ane of the Commissionaris for Edinburgh; for travell and pacificatioun, and all thingis that may induce the saidis rebellious and dissobedient subjectis to the acknawlegeing of thair dewitie and obedience of oure Soverane Lordis authoritie. Quhilkis personis nominat for travelling of pacificatioun, sall speik thair freindis being of the said rebellious factioun dwelling on the sowth syde of the Watter of Dee betuix and the first day of Marche nix to cum, and all personis dwelland be north the said Watter of Dee betuix and the tent day of the said moneth of Marche.

Proclamatioun to persew the Rebellis.

The quhilk day, my Lord Regentis Grace, with avise of the Lordis of Secreit Counsall, ordanis lettres to be direct chargeing all the inhabitantis of the sherefdomes of Perth be sowth and west Tay, the Stewartries of Stratherne and Menteith, the Sherefdomes of Striveling, Clakmannan, Kinross, Fyff, Linlythquow, Edinburgh principall and within the Constabularie of Hadingtoun, Berwik, Roxburgh, Selkirk, Peblis, Lanark, Renfrew, Dunbartane, Air, and Baillieries of Kyle, Carrik, and Cunynghame; that thai and ilk ane of thame, weill bodin in feir of weir, with xx dayis victuallis and provisioun addres thame to convene the tent day of Marche nix to cum for persute and invasioun of the rebellious subjectis, dissobedientis to our Soverane Lordis authoritie, eftir the forme of ane Act to be extendit heirupoun, under the pane of tinsall of lyff, landis, and gudis.

Apud Striveling, xvi Februarii, anno, etc. lxviii°.

Commissioun for resisting and persute of the Erll of Huntlie.

The quhilk day, in presens of my Lord Regentis Grace and Lordis of Secreit Counsale, comperit Johnne Erll of Atholl Lord of Balvany, Robert Erll of Buchane, Williame Maister of Marschell, Andro Maister of Errole, Alexander Lord Saltoun, Johnne Lord Glammis, Johnne Lord Innermeyth, Laurence Lord Oliphant, Sir Johnne Wischert of Pittarro knycht, Maister James Halieburtoun Provest of Dunde, Williame Leslie of Balquhane, Alexander Forbes of Petsligo, Arthur Forbes of Balfour, Johnne Ogilvy of Innerquharitie, Alexander Banerman of Wattirtoun, Johnne Caddell of Aslowne, Williame Cumming of Innerallochty, Johnne Forbes of Towy, Peter Hay of Melginche, and Alexander Blair of Bathiok;—and exponit and declarit how thai had continewit faythfull and obedient subjectis to our Soverane Lord and his authoritie; for the quhilk caus thai, thair landis, rowmes and possessionis wer and ar in utter perrell and dangeir to be invaidit and persewit with fyre, swerd, and all uther kynd of hostilitie be George Erll of Huntlie, his assistaris and complices, rebellious and dissobedient subjectis aganis our Soverane Lord and his authoritie foirsaid, requirand thairfoir

remedy to be providit. My Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, in our Soverane Lordis name and authoritie, gevis grantis and committis full power, authoritie, speciall mandment, expres bidding and charge, to the personis abonewrittin, and everie ane of thame, to convocat thameselffis, thair kin freindis assistaris and partakeris in weirlyke maner; and to resist, defend, and ganestand the persute, invasioun, and just violence of the said Erll of Huntlie his complices, partakaris, and all utheris withstandaris of oure Soverane Lordis authoritie; or, gif neid beis, to persew thame, assege thair houssis, raise fyre and use all kynd of weirlyke ingyne, for the quhilk the saidis personis nor nane utheris our Soverane Lordis liegis assistand thame, sall incur na skayth nor dangeir in thair personis, landis, or gudis, nor sall nocht be callit or accusit for the same criminalie nor civilie be ony maner of way in tyme cuming, nocht-withstanding ony lawis, actis, ordinances, or chargeis in the contrair or ony panis contenit thairin. Anent the quhilk my Lord Regentis Grace, in our Soverane Lordis name, dispensis be this present Act, dischargeing thame simpliciter of the same in tyme cuming; this present commissioun during the will of our Soverane Lord and his Regent foirsaid to induir.

Apud Brechin, secundo Marcii, anno, etc. lxviii°.

That the Rebellis houssis be intromettit with.

My Lord Regentis Grace and Lordis of Secreit Counsale, perfytelie understanding that David Erll of Craufurd, James Lord Ogilvy, Johnne Carnegy of Kynnaird, and diverse utheris within the sherefdome of Forfair, haif at all tymes sen the eschaping of our Soveranis moder furth of Lochleven, planelie rebellit aganis the Kingis authoritie, and als that thai planelie assistit, tuke part and gaif avise and counsale to George Erll of Huntlie in his maist violent oppressioun of the gude subjectis and trew liegis upoun his pretendit usurpit power of Lieutenendry; and that the saidis personis haif by all meanis possibillie solistit and intyiscit the saidis faythfull subjectis be oppin defectioun frome thair debtfull obedience; and quhair thair labour in persuasioun could tak na effect thay have spulyeit, rubbit, and impresonit the liegis, exerceand upoun thame all kynd of crueltie eftir thair said rebellioun, having devysit to thame selffis ane authoritie, and haif determinat as it wer to spuilye the Kingis Majestie of his croun royall, and that be thair saidis procedingis the people ar partlie be force and partlie be craftie meanis withdrawin fra thair said obedience quhairupoun the greittar inconvenient without doubt sall enschew gif remeid in tyme be nocht providit. And be ressoun that the greittest occasioun to set furthwart the saidis wickit interprysis ar the conventionis and gadderingis at thair houssis fra the quhilkis thai ar now fugitive. Thairfoir my Lord Regentis Grace, with avise of the saidis Lordis, ordanis the saidis personis, with thair assistaris and partakaris, to be takin, apprehendit and presentit to the Justice to be puneist for thair demeritis; and siclyke ordanis Keparis to be put to thair saidis houssis, as salbe particularlie devysit heireftir, gevand the saidis keparis full commissioun and power to tak and apprehend the

saidis houssis, mak leill and trew inventour of the gudis and geir contenit thairin; and upoun quhatsumevir landis, rowmes, or possessionis pertening to the saidis rebellis, adjacent to thair saidis houssis, to be kepand and furthcumand to the Kingis Majestie and my Lord Regentis Grace quhen thai sall require, with power to the saidis Keparis to be appointit as said is, to convocat and assembill thair kin freindis servandis and utheris our Soveranes liegis; and will and grantis that the saidis Keparis and all uther personis being with thame in cumpany sall nocht be callit nor accusit thairfoir criminalie nor civilie, nor incur ony skayth or dangeir thairthrow, in thair personis landis or gudis in ony wyis in tyme cuming; and ordanis lettres to be direct to command and charge all oure Soverane Lordis Justices, Justice Clerkis, Shereffis, Stewartis, Crownaris, Provestis, Auldirmen, and Baillies of Burrowis, and all utheris his Graces officiaris present and to cum, and thair deputtis, to desist and ceise fra all dytting, attecheing, arreisting, jurnaying, following, accusatioun calling, unlawing, proceding, poinding, troubling, or intrometting with the saidis Keparis or utheris personis being with thame in cumpany, or ony of thame, thair landis or gudis, dischargeing thame thairof and of thair offices in that part for evir.

Provest of Dunde to intromet with Kynnard and mak inventour of the gudis.

The quhilk day, my Lord Regent, with avise of the Lordis of Secreit Counsale, ordanis Maister James Halieburtoun Provest of Dunde, to pas tak, and apprehend the hous of Kynnaird pertening to Johnne Carnegy, mak trew and just inventour of the haill gudis and geir being thairin, and upoun quhatsumevir landis, rowmes, takkis, stedingis, or possessionis pertening to the said Johnne adjacent to the said place of Kynnard, and to keip the samyn to be furthcumand to the Kingis Majestie and his said Regent as thai sall requeir thairfoir; and gevis to the said Maister James full power to that effect, according to the Act and ordinance maid thairanent be my said Lord Regent and Lordis of Secreit Counsale, as the samyn in the self at lenth proportis.

Apud Dunde, tertio Marcii, anno, etc. lxviii°.

Ordanis Lord Glammis to intromet with Kynnard and geir being thairin.

Forsamekill as my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, be thair generall ordinance maid at Brechin the secund day of Marche instant,—nocht onelie haif ordanit the personis of David Erll of Craufurd, James Lord Ogilvy, Johnne Carnegy of Kynnard and utheris within the sherefdome of Forfair quha at all tymes sen the eschaping of oure Soveranis moder furth of Lochlevin, haif rebellit aganis the Kingis authoritie, planelie assistit, tane part, and gevin counsale to George Erll of Huntly in his maist violent oppressioun of the gude subjectis and trew liegis upoun his pretendit usurpit power of Lieutenendrie, and for utheris caussis contenit in the said ordinance, to be takin, apprehendit and presentit to the Justice for thair demeritis and publict rebellioun; bot als to tak and apprehend the saidis personis houssis, and mak leill and trew

inventour or the haill gudis and geir contenit thairin, and upoun quhatsumevir landis, rowmes or possessionis pertening to the saidis rebellis adjacent to thair saidis houssis; to be kepit and furthcumand to the Kingis Majestie and my Lord Regentis Grace quhen thai sall requeir thairfoir, as at mair lenth is contenit in the said ordinance. As alsua our said Soveranis Regent, with avise foirsaid, be his Act and ordinance maid at Brechin the secund day of Marche instant, ordanit Maister James Halieburtoun Provest of Dunde to pas, tak, and apprehend the hous of Kynnard pertening to the said Johnne Carnegy, and to mak trew and just inventour of the haill gudis and geir being thairin, and upoun quhatsumevir landis, rowmes, takkis, stedingis, or possessionis pertening to the said Johnne adjacent to the said place of Kynnard, to keip the samyn to be furthcumand as said is. Thairfoir my Lord Regent, with avise of the Secreit Counsale, for certane considderationis moving him, ordanis Johnne Lord Glammis to ressave fra the said Maister James Halieburtoun the said hous of Kynnard pertening to the said Johnne Carnegy, with the haill gudis and geir being thairin, and upoun quhatsumevir landis, rowmes, takkis, stedingis, or possessionis pertening to him adjacent thairto; gevand the said Johnne Lord Glammis full commissioun and power to tak, apprehend, and ressave the said hous, gudis, and geir foirsaidis fra the said Maister James, and to mak just and trew inventour of his intromisioun thairof; to be kepit and furthcumand to the Kingis Majestie and my Lord Regentis Grace upoun the chargeis and expenssis of the self quhen thai sall requeir thairfoir; and will and grantis that the said Johnne Lord Glammis, and all uther personis being with him in cumpany, sall nocht be callit nor accusit thairfoir, criminalie nor civilie; nor incur ony skayth or dangeir thairthrow in thair personis, landis, or gudis in ony wayis in tyme cuming; and ordanis lettres to be direct to command and charge all our Soverane Lordis Justices, Justice Clerkis, Shereffis, Stewartis, Crownaris, Provestis, Auldermen, and Baillies of Burrowis, and all utheris his Graces officiaris, present and to cum, and thair deputtis, to desist and ceise fra all dytting, attecheing, arreisting, jornaying, following, accusatioun calling, unlawing, poinding, troubling, or intrometting with the said Johnne Lord Glammis, or utheris personis being with him in cumpany as said is, thair landis or gudis, dischargeing thame thairof, and of thair offices in that part, be thir presentis for evir.

Apud Striveling, viii Marcii, anno, etc. lxviii°.

Cautioun for Alexander Stewart.

The quhilk day, Robert Bruce of Clakmannan and Williame Murray of Towhadame ar becum actit and obleist, conjunctlie and severalie, as cautionaris and souerteis for Alexander Stewart of Scotistonhill, that he sall suirlie, sauflie, and trewlie observe and keip the hous and castell of Blaknes in oure Soverane Lordis name and to his Hienes behuif, togidder with all presonaris that ar alreddy, or heireftir salbe deliverit, in keping and ward within the said castell; and als that the same castell, with the munitioun that the said Alexander sall ressave thairin, salbe reddie, patent,

and furthcumand to our Soverane Lord and to James Erll of Murray Lord Abirnethie, Regent to his Hienes, his realme and liegis, quhensoevir thai sal happin to require the said Alexander for delivering and randering thairof, upoun xxiiii houris warning, under the pane of twa thowsand pundis; and the said Alexander and Maister Johnne Stewart burges of Striveling his brother, obleist thame, conjunctlie and severalie, to releiff the saidis cautionaris of the premissis. Sic subscribitur, Robert Bruce of Clakmannane. Williame Murray of Towhadame. Alexander Stewart, with my hand. Johnne Stewart with my hand.

The heidis of the Commoning betuix my Lord Regentis Grace, and the Nobilitie being with him on the ane part, and the Erll of Cassillis, the Lord Hereis, and Abbott of Kilwynning, in name of the Dukis Grace of Chestellarault and utheris Nobilmen, his adherentis, on the uther part, at Glasgow, the xiii day of Marche 1568.

Commoning at Glasgow.

It is desyrit upoun the part of my Lord Regent, that the Duke and his adherentis foirsaidis sall recognosce the King and his authoritie, acknawlege thame selffis to be his subjectis, and consequentlie promeise unto him service obedience and fidelitie, in all tymes cuming as unto thair Soverane Lord.

It is desyrit upoun the uther part, that thai acknawlegeing the King, etc., as is foresaid, sall be admittit, everie nobilman to his awin place, in Counsale and utherwayis as the borne Counsalouris of the realme, and as thair predecessouris hes bene in tymes of utheris Princes of this realme; and that my Lord Regent bering the Kingis authoritie, salbe sworne solempnitlie fra that time fordwart to behave himself uprychtlie and indifferentlie to thame, as to the remanent nobilmen of the realme, in all thair honest and just caussis, without partialitie or rememberance of ony offence consavit aganis thame during the tyme of thir contraversiis.

Item, that sic personis as hes bene forfaltit of lait for the serving of the Quene, or refusing of thair obedience to the King, etc., being content in tymes cuming to behave thame selffis as faythfull subjectis to the King, and acknawlege thair obedience to him, salbe restorit to thair landis, rowmes, and possessionis, nochtwithstanding the dome of forfaltour led aganis thame; providing alwayis that this benefite sall nocht be extendit to thame that hes bene forfaltit for art and part of the King oure Soverane Lordis faderis slauchter.

Item, that my Lord Regent, and remanent nobilmen joynit with him, sall condiscend to sic heidis and articles as may redound to the Quene oure Soverane Lordis moderis honour, avancement, and commoditie, and may best serve hir turn; providing that the same be nocht prejudiciall to the King and his soveraignitie—quhairupoun dependis the securitie of all the nobill men and utheris professing thame selffis to be sic subjectis—nor yit prejudiciall in ony point to thair suirty.

Becaus my Lord Regent and utheris on his party ar alsweill content to

yeild to thir ressonabill desyris foirsaidis, as to crave the performance of his desire towartis the Kingis obedience at thair handis, and will weill that all cum on togidder and at a time; and that presentlie lasour can nocht serve to devyise the thingis that ar necessar to be done to the Quene. It is thocht convenient that upoun the tent day of Appryle nix to cum salbe assemblit and convenit togidder in Edinburgh, in quiet and peciabill maner the personis following: that is to say, my Lord Regent, the Dukis Grace of Chestellarault, the Erllis of Huntly, Ergyle, Atholl, Mortoun, Mar, Glencarne and Lord Hereis; and in cais ony of thir nyne beis absent throw seiknes or uther lauchfull impediment, ane uther nobill man of that party salbe chosin to supple his rowme; and thair in freindlie maner, treate, conclude and aggre upoun sic heidis as salbe performit to the Quene; and quhat the saidis nyne personis or maist part of thame findis may redound to hir honour without prejudice to the King and securitie foirsaid, the haill nobilmen on bayth partis sall condiscend thairto; and for suir cuming of the nobilmen foirsaid, my Lord Regent hes upoun his honour promeist, that thai may cum sauflie without ony dangeare to thame in thair cuming or returning.

In the menetyme it is aggreit that the Duke of Chestellarault and utheris his adherentis foirsaidis sall nocht chalenge to thame, use nor execute ony authoritie of Lieutenendry or utherwayis grantit to thame be the pretendit commissioun of the Quene oure Soverane Lordis moder, nor mak impediment to officiaris of armes to execute lettres in the Kingis name and my Lord Regentis throuchout the haill realme, and everie part thairof as occasioun sall serve. Alwayis, in the menetyme, it is my Lord Regentis mynd—to execute na lettres nor chargeis quhairby the said Duke and his adherentis etc. may be prejugeit or twicheit in thair personis landis or gudis; bot onelie be this article is meanit that na impediment salbe maid to the Kingis authoritie be thame in the menetyme.

Becaus the forces mon be presentlie dissolvit, quhairby na injurie be done to ony subjectis of the realme be way of deid,—and ressonabill it is that securitie be maid to my Lord Regent for performance of thair part of the articles foirsaidis, he performand to thame sa far thairof as concernis his part; thairfoir the Dukis Grace, the Erll of Cassillis and the Lord Hereis sall presentlie entir sufficient plegis, to remane with my Lord Regent quhill thair part of the saidis articles be performit; that is to say, ane of the Dukis sonnis, the said Erll of Cassillis or his brother, and the said Lord Hereis or his eldest sone.

Apud Kelso, tertio die mensis Aprilis, anno, etc. sexagesimo nono.

Sederunt. Jacobus Dominus Regens. Alexander Dominus Hume. Commendatarius de Newbottill. Clericus Registri.

Protestatioun be the Baronis of the Middill Marches.

The quhilk day, the Baronis and Landit men of the Middill Marche of this realme foranent England, being convenit in presens of my Lord Regentis Grace, exponit,—that albeit at his Grace desire for resisting of the present

invasioun of the rebellis and thevis of Liddisdaill and utheris, thay had condiscendit to send sum ordinar force of horsmen to ly in Hawik and utheris partis thairabout for a certane space quhill forder provisioun may be maid,—yit thai protestit that the thing thai did of gude will sould nocht be comptit as of dewitie, nor that thai sould nocht be haldin to sustene sic ordinar force eftir the outrynning of ane moneth, quhilk protestatioun my Lord Regentis Grace admittit; and thairupoun the saidis baronis and landit men askit instrumentis.

Anent the supplicatioun presentit to my Lord Regentis Grace be Johnne Edmonstoun of that Ilk, makand mentioun, that quhair in the moneth of Apryle the yeir of God j^{m}v^{c}lxviii yeris he, at the desire of Robert Ker of Wodheid, gaif his band with the Lairdis of Cesfurde eldar and youngar, and Sir Andro Ker of Hirsell Knycht, to Thomas Forester of Edderstoun Inglisman for payment of ane bill to him sworne to the sowme of seventene scoir pundis sterling; and the said Robert Ker promesit and obleist him to releve the said Johnne Edmonstoun of his said band at the handis of the said Thomas Forester, ay and quhill he deliverit to the said Johnne the Laird of Fairnyhirstis band for his releif. Nevirtheles, the said Robert wranguslie and unthankfullie refusis to releve the said Johnne of the said band, quhairthrow he is in danger dailie to be reprovit and bachillit to his greit dishonour and schame; and mon pay the said bill of his awin propir gudis, without, be taking of summar tryall, sum remeid be providit. My Lord Regentis Grace, eftir tryall takin be the aythis of sic as the said Robert appointit, decernis and ordanis lettres to be direct, chargeing him to releve the said Johnne Edmonstoun of his said band at the handis of the said Thomas Forester—or ellis to deliver to the said Johnne the said Laird of Fairnyhirstis band for his releif—within thre dayis eftir the charge, under the pane of rebellioun; and gif he failyeis, to put him to the horne, and to escheit etc. Edmonstoun of that Ilk. Ker Wodheid.

Be it kend till all men be thir present lettres; we the baronis, landit men, gentilmen, inhabitantis of the sherefdome of Berwik, Roxburgh, Selkirk, Peblis—and Provestis and Baillies of burrowis and townis within the saidis boundis, in name of the inhabitantis of the samyn—undersubscrivand; to be bundin and obleist, and be the tennour heirof, bindis and obleissis us, to the Kingis Majestie our Soverane Lord, and his dearest cousing James Erll of Murray, Lord Abirnethie, Regent to his Hienes, his realme and liegis as followis: that is to say, Forsamekill as my said Lord Regentis Grace hes at all tymes, and specialie sen his acceptatioun of the regiment of this realme, takin greit and panefull travellis in the quieting of the Bordouris thairof; and namelie of the rebellious people inhabitantis of the cuntre of Liddisdaill and utheris thevis; and we having regaird to the innumerabill slauchteris, fyre rasingis, heirschippis and detestabill enormiteis dalie committit be thame upoun the peciabill and trew subjectis of this realme, in tymes bipast, quhairin thai ar Band of Teviotdaill.

nocht abill to execute thair crueltie gif wer in the feir and obedience of God and our Soverane Lord aufauldlie concur togidder to resist thame. Thairfoir we and everie ane of us undersubscrivand, be thir present lettres, avowis and declaris our selffis obedient subjectis to the Kingis Majestie, oure onelie Soverane Lord, and his authoritie, and professit inymeis to all thevis, inhabitantis of the cuntreis of Liddisdaill, Eskdaill, Ewisdaill and Annanderdaill; and in speciall to all personis of the surnames of Armestrang, Ellot, Niksoun, Crosar, Littill, Batesoun, Thomsoun, Irwing, Bell, Johnnestoun, Glendonyng, Routlage, Hendirsoun, and Scottis of Ewisdaill, and utheris notorious thevis, quhairevir thai dwell, and to thair wyffis, bairnis, tenentis and servandis; obleissand us that we nor nane of us, at ony tyme heireftir, sall resset, supple, or intercommoun with ony of the saidis thevis, thair wyffis, bairnis, or servandis; or gif thame meit, drink, hous or herbry; or suffer ony meit, drink or victuallis to be bocht, had or cariit with thame furth or throw our boundis, baillieris, townis and landis, quhair we may let; nor yit sall we tryist or haif intelligence with thame in previe or apart, without knawlege and leif of the Wardane obtenit to that effect; or suffer thame to resort to marcattis or tryistis throw our boundis; nor yit permit thame, thair wiffis, bairnis, tenentis or servandis to dwell, remane, or abyde, or to pasture thair gudis upoun ony landis outwith Liddisdaill; except sic as within viii dayis eftir the dait heirof sall find sufficient and responsall souerteis to the Wardanis of the Marches and thair clerkis that thai sall reforme all enormiteis committit be thame in tyme bipast and keip gude rewle in tyme cuming, and be obedient to the lawis quhen thai salbe callit upoun; and all utheris nocht findand the said souertie within the said space, we sall persew to the deid with fyre, swerd, and all uther kynd of hostilitie; and expone thame and all thing in thair possessioun in pray to the men of weir, as oppin and knawin ynemeis to God, the King our Soverane, and this commoun weill, without favour, assurance or freindschip, renunceand all kyndnes, bandis, promeissis, assurances and conditionis that we or ony of us hes enterit in with thame in ony tyme bigane befoir the dait heirof, as we will answer to God, and upoun our dewitie and allegeance to our Soverane Lord his authoritie, and Regent foirsaid. And in caise we failye in ony part of the premissis, or revelis nocht the contravenaris of this band gif we knaw thame, we ar content to be puneist thairfoir according to the generall band and panis contenit thairin; as alsua in caise in the resistence or persute of ony of the saidis thevis, it sal happin thame to be slane and brint, or ony of us and our freindis to be harmit be thame, we sall evir esteme the querrell and deidlie feid equall to us all, and sall nevir agre with the same thevis bot togidder with ane consent and avise; and in the menetyme sall tak aufauld, trew and plane part, ilkane with uther, and specialie sall assist the Laird of Bukcleuch and utheris Lairdis maist ewest to the saidis thevis at all occasionis convenient. This our present band, quhill the first day of August nix to cum, in full effect and force, inviolabillie to induir, to the effect a perpetuall and perfyte ordour anent the repressing of the saidis

thevis may be takin in the menetyme. In witnes quhairof, we have subscrivit the samyn with our handis as followis, at Kelso, the sext day of Apryle, the yeir of God j^{m}v^{c} thre scoir nyne yeris. Sic subscribitur, Alexander Hume. Walter Ker of Cesfurde. Bukclewch, knycht. Thomas Ker of Fairnyhirst. Williame Ker. Patrik Murray of Fawlahill. Walter Ker of Dolphingstoun. Andrew Ker of Fawdounsyde. Cranstoun of that Ilk. Thomas Ker of Nethirhowdane. Andro Ker of Litilden. Gilbert Ker of Prumsydeloch. Johnne Edmestoun of that Ilk knycht. Williame Dowglas of Caveris. Johnne Haldane. Thomas Turnbull of Bathroule. Richert Rutherfurd of Edyarstoun. Alexander Cokburne. Robert Ker of Thirlstane. Thomas Makdowell. Sir Nicholas Rutherfurd of Hundiley knycht. Johnne Rutherfurde of Hunthill. Johnne Mow of that Ilk. Richard Ruthirfurde Provest of Jedburgh. James Scott baillie of Selkirk. James Gledstanis of Coklaw. Watt Scott in Borthauch. Watt Scott of Tuschelaw. Hector Turnbull tutour of Mynto. Cuthbert Cranstoun of Thirlstane Manys. Robert Scott baillie of Hawik.

Statutis anent the Middill Marche.

Item, it is statute and ordanit be my Lord Regentis Grace in our Soverane Lordis name, with avise of the Wardane and gentilmen inhabitantis of the Middill Marche, that na maner of personis ryde to steill or reif in England in tyme cuming, bot observe and keip the peace and amytie betuix the realmis unviolat according to the lawis; certifeing thame that failyeis heirin and beis thryis fylit for attemptattis to be committit be thame in England eftir the dait heirof, thai salbe hangit and demanyt as commoun thevis in exempill of utheris, without favour. And gif ony thevis stelis or gadderis cumpanyis togidder to ryde in England heireftir, thay or ony of thame being billit salbe deliverit for the haill fault, and the Wardane sall na wayis be obleist or haldin to releve the personis billis and enterit, or to caus his steilfellowes entir or pay thair partis for his releif, bot as the cheif rydis and committis the offence aganis the law, sa let him provyde his awin releif and waill his marrowes at his own perrell as he wilbe servit.

Item, it is forder concludit statute and ordanit, be my Lord Regentis Grace, be avyise of the Wardane, Baronis and Gentilmen inhabitantis within the said Middle Marche,—for eschewing of troubill and contentioun betuix the realmis, quhilk may indanger and brek the peace and amytie,—that na Scottisman dwelland in Scotland sall tak or teill ony ground in England, nor suffer ony Englisman dwelland in England to haif or teill ony ground in Scotland, under the pane of confiscatioun of all the gudis movabill of the persoun doar in the contrair, and to be puneist as ane dissobedient subject, disturber of peace and quietnes, and inemy to our Soverane Lord and commoun weill of this realme.

Apud Edinburgh, decimo quinto Aprilis, anno, etc. lxix°.

Sederunt. Jacobus Dominus Regens. Jacobus Comes de Mortoun Cancellarius. Joannes Comes de Atholl. Joannes Comes de Mar. Alexander Comes de Glencarne. Robertus Comes de

Buchane. Episcopus Orchadensis. Alexander Dominus Hume. Patricius Dominus Lindesay. Willelmus Dominus Ruthven. Alexander Dominus Saltoun. Joannes Dominus Glammis. Andreas Dominus Uchiltre. Allanus Dominus Cathcart. Commendatarius Dunfermling. Commendatarius Balmerynoch. Commendatarius Newbottill. Commendatarius Coldinghame. Commendatarius Dryburgh. Secretarius. Presidens. Tullibardin Computorum [Rotulator]. Thesaurarius. Clericus Justiciarie.

Duke committit to ward.

The quhilk day, it is concludit be my Lord Regentis Grace and Lordis of Secreit Counsale, that James Duke of Chestellarault salbe committit to ward within the Castell of Edinburgh in default of fulfilling of his part of the pacificatioun maid at Glasgow.

Band to the King.

We and everie ane of us undersubscrivand, sall in all tyme cuming, lyke as we do presentlie, reverence, acknawlege and recognosce, the maist excellent and michtie Prince, James the Sext, be the grace of God, King of Scottis, oure onelie Soverane Lord; and his dearest uncle James Erll of Murray, Lord Abirnethie, Regent to his Hienes, his realme and liegis thairof during his Majesteis minoritie; his Hienes his said Regent and his Majesteis authoritie, we sall serve and obey as becumis dewtifull subjectis; oure landis and lyvis in the defence and avancement thairof we sall bestow and wair; the skayth, harme or subversioun of the same, we sall nevir knaw nor procure be ony meanis direct or indirect; all former bandis for obedience of ony uther authoritie subscrivit or maid be us in ony tymes bigane contrarious or prejudiciall to his Hienes, his said Regent and authoritie, we renunce and discharge for evir; affirming and swering solempnitlie upoun our faythis and honouris, to observe and keip this our declaratioun and plane professioun and every point thairof be God himself and as we will answer at his generall jugement; quhairin gif we failye, we ar content to be comptit faythles, perjurit, and defamit for evir, besyde the ordinar pane of the lawis to be execute upoun us without favour as a perpetuall memory of our unnaturall defectioun and inexcusabill untrewth. In witnes quhairof we have subscrivit thir presentis with our handis as followis at the dayis and tymes particularlie underspecifiit:

Huntly.
Craufurd.
G. Erll of Cassillis.
Sanquhair.
Saltoun.
James Lord Ogilvy.
Laurence Lord Oliphant.
Deir.
Johnne Maister Forbes.
Johnne Grant of Frewchy.
Johnne Ogilvy of Innerkelour.
Archibald Ogilvy of Lawtun.
Coline M'Kenze of Kintaill.
Alexander Ross of Balnagowne.
Lawchlane M'Intosche of Dunnachtane.
Williame Campbell tutour of Cesnok.
Patrik Chene of Essilmont.
Walter Kynnard of Cowbyn.
James Innes of Drany.
Walter Urquhart Shereff of Cromarty.
Robert Monro of Fowlis.
Alexander Sutherland of Duffus.

Johnne Maitland youngar of Auchingassill.
Walter Oudny of that Ilk.
Alexander Seytoun apperand of Meldrum.
Thomas Coupland of Udauch.
Williame Leslie of Telefowir.
Johnne Chene apperand of Straloch.
David Gardin of Leyis.
James Garden.
David Garden of Connische.
Adam Gordon.
Robert Lesley.
Hucheoun Rose of Kilrawok.
David Grahame of Fintrie.
Johnne Gordoun of Carnburrow.
Alexander Burnet of Craige.
Johnne Ross of Hanyng.
Patrik Congiltoun of that Ilk.
Hew Kennedy of Barquhony.
James Creichtoun of Carco.
William Rait of Halgiem.
Hew Kennedy of Girvanmanis knycht.
Y M°Ky.
William Gordoun of Craig of Auchindoir.
Patrik Leith of Harthill.
James Gordoun of Creychy.
Mr. Duncane Forbes.
William Barclay of Towy.
Michaell Fraser of Stanywod.
Johnne Carnegy.
Johnne Leslie of that Ilk.
William Urr of Petfethy.
George Gordoun of Lesmoir.
Robert Turing of Foverne.
James Gordoun of Methlik.
William Chene of Arnaige.
William Seytoun of Meldrum.
George Maxwell of Newwerk.
Alexander Leslie of Wardens.
James Ogilvy of Balfour.
Uchtrid M°Dowell of Garthland.
Andro Meldrum of Darley.
Maister George Gordoun.
William Barr of Ordinghuif.

Apud Edinburgh, decimo nono Aprilis, anno, etc. lxix°.

Anent oure Soverane Lordis lettres rasit at the instance of Gilbert Auchinlek of that Ilk, Walter Ramsay brother and the remanent kin and freindis of umquhile James Ramsay tutour of the Lowis, makand mentioun. That quhair it is notour to my Lord Regent the cruell and abhominabill murthour and slauchter of the said umquhile James, committit within the burgh of Dunde, immediatlie befoir his Graces last departing to England, be Johnne Ogilvy fader brother to the Lord Ogilvy, Johnne Ogilvy his sone, Robert Betoun of Westhall and thair complices; nochtwithstanding the quhilk detestabill cryme, Patrik Lord Gray, Michaell Balfour of Burly and Arthour Forbes of Reres hes continewalie—or for the maist part sen my said Lord Regentis departing—ressavit, fortifiit and mantenit the principall and cheif committaris of the said odious cryme, viz.: the said Patrik Lord Gray, David Guthre and Alexander Guthre brethir, and the saidis Lairdis of Burly and Reres, the said Robert Betoun, in thair houssis and utherwayis publictlie, thay being oure Soveranis rebellis and fugitive fra his Hienes lawis for the said cryme; in the contemptioun of his Majesteis authoritie vilipendand the samyn thairthrow, as thair wer nowther law nor justice to be ministrat within this realme to the evill exempill of the weill inclynit liegis thairof. Quhilkis personis nocht onelie intendis to be thair ressett

Freindis of umquhile Ramsay.

Ogilvy.

and manteinance hereftir, bot alsua to procure thair respect or remissioun at my Lord Regentis handis, albeit be the gude zeale and favour he hes evir borne and beris to the manteinance of justice, the saidis complenaris ar certanelie perswadit that he will nocht grant to thair ungodlie desyris, bot be the contrair will continew ane godlie instrument in maintenance of justice. And anent the charge gevin to the said Patrik Lord Gray, to present the rebellis abone specifiit, conforme to the generall band, befoir my Lord Regent and Lordis of Secreit Counsale, at ane certane day bigane, or ellis to compeir befoir him the samyn day and schaw ane ressonabill caus quhy the samyn sould nocht be done, with certificatioun to thame and thai failyeit, lettres sould be direct simpliciter upoun thame to the effect foirsaid, as at mair lenth is contenit in the saidis lettres, executioun and indorsatioun thairof; the said Walter Ramsay, ane of the saidis complenaris, comperand for him self and remanent kin and freindis of the said umquhile James Ramsay, and the said Patrik Lord Gray being oftymes callit and nocht comperand; my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, ordanis lettres to be direct, chargeing the said Lord Gray, yit as of befoir, to present the rebellis abonewrittin, conforme to the generall band, befoir his Grace and Lordships at Edinburgh or quhair it sal happin thame to be for the tyme, upoun the sext day nixt eftir the charge, under the pane of rebellioun and putting of him to the horne; and gif he failyeis thairin, the said sext day being bipast, to denunce thame rebellis and put thame to the horne, and to escheit, etc., becaus thai wer chargeit heirto of befoir under the pane of rebellioun, with certificatioun as said is, and dissobeyit.

Apud Edinburgh, xx Aprilis, anno, etc. lxix°.

Sederunt. Domini ut in die predicto.

Proclamatioun to meit at Brechin.

The quhilk day, my Lord Regentis Grace, the Lordis of Secreit Counsale, and utheris of the nobilitie and faythfull baronis of this realme assemblit at this present conventioun; considering the estait of the commoun weill sa havelie troublit and inquietit, be the insurrectioun and wrangfull oppressioun of diverse our Soverane Lordis unnaturall and rebellious subjectis, nocht onelie impeding the ordinar administratioun of justice, quhairby the pouer liegis ar in diverse partis slane, heriit, and put to extreme povertie, libertie being gevin to notorious pyrattis, brokin men, and ungodlie personis to execute all kynd of reiff, crueltie, and depredatioun upoun the peciabill and gude subjectis, native inhabitantis of this realme and trew Scottismen,—bot als oure Soverane Lordis royall authoritie and princelie power, quhairunto he is callit be God, ressavit and approvit be a lauchfull and fre Parliament, being vilipendit, lichtleit, or planelie usurpit, that the haill state is lyke to turne to uttir confusioun gif tymous remeid be nocht providit; and seing God hes sa mervalouslie, abone mannis expectatioun, begun and manteinit his Majesteis richtuous caus aganis all his unnaturall subjectis and utheris inymeis sen his Hienes coronatioun; it is na doubt bot the same God will accomplische the werk begun to his glorie, the

quietnes of the cuntre, and to the confusioun of all sic as aganis thair conscience hes or presentlie resistis his Hienes authoritie. Thairfoir ordanis lettres to be direct to officiaris of armes, Sheriffis in that part, chargeing thame to pas to the marcat croces of the burrowis of Abirdene, Banff, Kincardin, Forfair, Coupar, Kinross, Perth, and utheris places neidfull; and thair, be oppin proclamatioun, to command and charge all and sindry oure Soverane Lordis liegis and subdittis, betuix sextie and sextene yeris of aige, and utheris fensabill personis, alsweill dwelland to Burgh as to Land, within Regalitie as Rialtie, dwelland within the boundis of the Sherefdomes of Banff, Abirdene, Kincardin, Forfair, Perth, Fyff, Kinross, the Stewartreis of Stratherne and Menteith; that thai and ilk ane of thame, weill bodin in feir of weir, in thair maist weirlike maner, with xxx dayis victuallis and provisioun, eftir the said first day of Junii, addres thame to convene and meit my said Lord Regentis Grace in our Soverane Lordis name, at the citie of Brechin, upoun the first day of Junii nixtocum; and fra thyne to pas furthwart and attend upoun his Grace directioun as thai salbe commandit for furthsetting of oure Soverane Lordis authoritie, in resisting of the invasioun of his Majesteis rebellious and dissobedient subjectis, or persute of thame, as occasioun sall serve, under the pane of tinsall of lyff and gudis; and to direct the lyke chargeis upoun the inhabitantis of the Sherefdome of Invernes, Elgin, Fores, Cromarty, and Narne, to convene and meit George Erll of Caithnes and Hew Lord Fraser, Lieutenentis to our Soverane Lord, conjunctlie or severalie, at the Burgh of Invernes, the said first day of Junii, and fra thyne to cum fordwart with thame, or ather of thame, to meit my Lord Regentis Grace at sic tyme and place as salbe appointit; or utherwayis to resist or invaid the saidis rebellious or dissobedient subjectis, according to the commandiment to be gevin thame, under the pane foirsaid.

Apud Edinburgh, xxi Aprilis, anno, etc. lxix°.

Cautioun for Congiltoun.

The quhilk day, Johnne Logane of Coitfeild is becum souertie for Patrik Congiltoun of that Ilk, that he sall compeir befoir my Lord Regent at quhatsumevir place he sal happin to be in for the tyme, quhenevir the said Patrik salbe chargeit or requirit thairto, personalie or at his hous of Congiltoun, to answer to sic thingis as salbe inquirit of him, under the pane of ane thowsand pundis; and the said Patrik obleist him to releve the said Johnne of the premissis. Sic subscribitur, Johnne Logane of Cotfeild. Patrik Congiltoun of that Ilk.

Apud Edinburgh, xxvi Aprilis, anno, etc. lxix°.

Caution for Sinclair of Rosling.

The quhilk day, James Forester of Corstorphin, Maister Johnne Marjoribankis, and George Ramsay of Dalhoussy, conjunctlie and severalie, become souertie that William Sinclair of Rosling knycht sall presentlie rander and deliver to George Sinclair in Ley, samekill of his gudis as is presentlie undisponit, intromettit with be the said Williame or ony at his command, als gude as the samyn wes the tyme of the intromissioun thairwith; and

for ony thing that wantis, the saidis personis ar becum souertie for randering and restitutioun thairof, or the avale of the same, betuix and the xxix day of Maii nixtocum; and the said Williame obleist him to releve.

And the said George Sinclair renunceit the summondis and actioun of spulye that he may haif aganis the said Williame for the gudis spulyeit or intromettit with be him, or ony at his command, pertening to the said George.

The quhilk day, the said Williame Sinclair of Rosling and George Craufurd of Lefnoreis assurit ilkane of thame for thame and all utheris that thai may lett, quhill my Lord Regentis Grace gif his decreit and declaratioun upoun the blank subscrivit be the saidis partiis. Sic subscribitur, Williame Sinclair of Rosling knycht. George Ramsay of Dalhoussy. Corstorphin. Mr. Johnne Majoribankis.

The names of the Herauldis, Pursevantis, and Maseris Ordinaris, as alsua twa Extraordinar Pursevantis, togidder with the names of the Messingaris; electit and admittit be us Sir David Lindesay of Rathulet knycht, Lyoun King of Armes, with avise of our saidis brothir Herauldis; and hes distributit thame in the Schyris respective underwrittin in the moneth of Apryle j^{m}v^{c}lxix yeris.

Names of Officiaris.

HERAULDIS.

Petir Thomsoun, Ilay.
Johnne Patersoun, Snawdoun.
Alexander Makculloch, Marchemont.
Alexander Oliphant, Albany.
Patrik Davidsoun, Ross.
Johnne Forman, Rothesay—Herauldis.

PURSEVANTIS.

Alexander Forester, Carrik.
Williame Hendirsoun, Dingwall.
Johnne Calder, Bute.
Patrik Ramsay, Unicorne.
James Purdy, Kintyre.
Alexander M'Culloch, Ormond—Pursevantis.

MASSERIS.

Scrymgeour.
Williame Brysoun.
Thomas Creichtoun.
Williame Purves.
Hector Trolhope—Maseris.

PURSEVANTIS EXTRAORDINAR.

Johnne Broun.
Robert Campbell.

MESSINGERIS.

EDINBURGH, and within the Constabularie of Hadingtoun.

Archibald Heriot.
Williame and Thomas Kerris.
Frances Johnnestoun.
Williame Logane.
Williame Lawsoun.
James Falconar.
James Craik.
Gawin Ramsay.
James Davidsoun.
Patrik Runseman.
Williame Stratoun.
George Diksoun.
Patrik Gray.
David Fowlar.
Thomas Ramsay.
Andro Kneland.
Adame Harlaw.
Johnne Reid.

BERWIK with Lauderdaill.

Williame Wallace. Richert Lowdrane.

ROXBURGH.

James Langlandis. Stevin Riddell.

Ane of the Wardane Officiaris to be maid Messinger.

SELKIRK.

Nicholl Forret.

PEBLIS.

Andro Alexander.

LANARK, Ovir and Nethir Wardis.

David Craik. Johnne Morisoun. Rannald Mure.
Robert Johnnestoun. Johnne Bynning.

DUNBARTANE.

Johnne M'Calpyne.

RENFREW, with the Baillieris of Kyle and Cunynghame.

Adame Turbett. Williame Robesoun.
Johnne Symontoun. Thomas Esak.

AIR, in the Baillierie of Carrik.

Nicholl Scherare. Robert Low.
Johnne Scherare. Johnne Broun.

NYSDAILL.

Williame Creichtoun. Oswald Portar.

WIGTOUN, within the Stewartrie of Kirkcudbrycht.

Cuthbert Dun.

STRIVELING.

Malcolme Kinross. Johnne Hart.

FYFF, CLAKMANNAN, AND KINROSS.

Andro Wod. George Gourlaw. Cuthbert Riche.
Robert Mude. Thomas Maknevin. Patrik Striveling.
David Grundesoun. James Furde. Johnne Cronygahame.

PERTH, with the Stewartrie of Strathern and Menteyth.

Williame Marschell. Alexander Borthuik. Thomas Law.
David Dow. Alexander Ross. Moncur.
Johnne Andirsoun.

FORFAIR.

George Falconar. Alexander Jamesoun. Johnne Sowtar.
Cristell Menteyth. Rannauld Fyff.

KINCARDIN.

Robert Rait.

ABIRDENE.

Thomas Wod. Johnne Davidsoun in Clintirty.
Patrik Bisset. Maister Johnne Bagray.

BANFF.

Andro Rawsoun.

ELGIN, FORES AND NARNE.

James Tholome. Michaell Furde.
Williame Irwing. Johnne Cumyng.

INVERNES, CROMARTY AND CAITHNES.

Williame Bayne. Finlay Mansoun. Johnne Ros.

ORKNAY.

Williame Hendirsoun.

REX. Sir David Lindesay of Rathulet knycht, Lyoun our King of Armes. Forsamekill as We, with avise of our dearest cousing James Erll of Murray, Lord Abirnethie Regent to us our realme and liegis, and Lordis of our Secreit Counsale,—understanding the greit misordour and imperfectioun quhilk hes bene in the office of armes in tyme bipast within this realme and cheiflie in the messingeris thairof, in the quhilk ye with avise of your brethir Herauldis, hes tane gude ordour and maid reformatioun; quhilk is ane thing verie honorabill to us, our realme and liegis, and commoun weill of the samyn in sic sort that the samyn is necessar to be observit; chargeing you heirfoir to mak na alteratioun thairin, nor ressave nor admit na persoun to the offices respective abonewrittin quhill deid or lauchfull deprivatioun of ony of the said nowmer, nochtwithstanding of our writtingis gevin or to be gevin in the contrair, as ye will answer to us thairupoun. Subscrivit be our said dearest cousing and Regent, at the day of the yeir of God j^{m}v^{c}lxix yeris, and of our regnne the secund yeir.

The souerteis ressavit be the Wardane of the Middill Marches of this realme at command of my Lord Regents Grace, as may appeir be the Actis maid on the sext day of Aprile last bipast.

At Hawik, the fyft day of Maii, the yeir of God j^{m}v^{c}lxix yeris, in presence of the Warden and Sir Walter Scott of Branxholme knycht, and utheris gentilmen, comperit Sir Walter Scott of Howpaslay knycht, and become souertie for the personis following, that thai sould answer to the lawis, conforme to my Lord Regentis Grace directioun and articles gevin to the Wardane under the pane of twa hundrith merkis everie man.

Cautioun for EistTeviotdaill.

Thomas Broun, .	ii^{c} markis.	Jokke Scot, . .	ii^{c} markis.
Jokke Howatsone, .	ii^{c} markis.	Eling Dun, . .	ii^{c} markis.
Hobbe Broun, . .	ii^{c} markis.	Will Greif, . .	ii^{c} markis.
Dand Huntar, . .	ii^{c} markis.	Thome Greif, . .	ii^{c} markis.

Alexander Armestrong,	iiᶜ markis.	Johe Gledstanis,	iiᶜ markis.
Will Pairman,	iiᶜ markis.	George Stevinsone,	iiᶜ markis.
Cristie Pairman,	iiᶜ markis.	Pait Stevinsone,	iiᶜ markis.
Hob Jaksoun,	iiᶜ markis.	Pait Reid,	iiᶜ markis.
Watt Litill,	iiᶜ markis.	Johnne Glendonyng,	iiᶜ markis.
Jok Hall,	iiᶜ markis.	Alexander Mylne,	iiᶜ markis.
Watt Runseman,	iiᶜ markis.	Will Turnbull,	iiᶜ markis.
Jak Reid,	iiᶜ markis.		

Tenentis to the said Sir Walter in Outtersiderig.

[The samyn day, comperit Will Ellot alias Archeis Will, and become souertie for the personis following :—[1]

Tenentis to the said Will Ellott.

The samyn day, comperit Gawin Ellott in Skelfhill, and fand souertie for himself, the young Laird of Greneheid, under the pane of ane thowsand pund, and the said Gawin become souertie for the personis following :—

Martine Smaill,	iiᶜ markis.	Rynne Wiggein,	iiᶜ markis.
Dande Mynto,	iiᶜ markis.	Jokke Ellot in Preist-hauch,	iiᶜ markis.
Reid Hob Ellot,	iiᶜ markis.	Andro Krucrewch,	iiᶜ markis.
Jok Preisthauch,	iiᶜ markis.	Jame Ellot in Skelshill,	iiᶜ markis.
Arche Preisthauch,	iiᶜ markis.		

The said day, comperit Clame Crosar and fand Thomas Ker souertie for him.

The said day, comperit Gawin Ellot Fallinesche, and fand souertie for him the Laird of Bukclewch, and the said Gawin become souertie for the personis following :—

Wille Ellot,	iiᶜ ℔.	Jame Bichat,	iiᶜ markis.
Johnne Turnair,	iiᶜ markis.	Dande Ellot,	iiᶜ ℔.
Jame Caveris,	iiᶜ markis.	Jok Ellot,	iiᶜ ℔.
Georde Armestrang,	iiᶜ ℔.	Hobbe Ellot,	iiᶜ ℔.
Georde Turnbull,	iiᶜ markis.	Jok Murray,	iiᶜ markis.
Andro Turnbull,	iiᶜ markis.	Will Huntar,	iiᶜ markis.
Jame Billop,	iiᶜ markis.	Johnne Nobill,	iiᶜ markis.

Tenentis to the said Gawin Ellot in Fallinesche.

The said day, comperit Sym Ellot in Dodburne, and fand souertie for him the Lard of Bukclewch, under the pane of ane thowsand pundis, and the said Sym become souertie for the personis following :—

Arche Wiggein,	iiᶜ markis.	Hob Hall,	iiᶜ markis.
Jok Ellott,	iiᶜ ℔.	Johnne Camerrell,	iiᶜ markis.
Will Hendirsoun,	iiᶜ ℔.		

Tenentis to the said Sym Ellot.

[1] No names in the Register.

The said day, comperit Arche Ellott in Corresik, and fand souertie for himself the Baroun of Gledstanis, under the pane of ane thowsand markis.

Comperit Clame Crosar in Hammilknowis, the tent day of Maii, and become souertie for the personis following:—

Clemme Crosar alias Cokkis Clemme, . . .	iic li.	Ade Crosar alias Meggaittis Ade, ...	iic li.
Johnne Crosar his brother,	iic li.	Arche Crosar alias Arche the Pyatt, ...	iic li.
Rowy Crosar thair brother,	iic li.	Jame Crosar the tailyeour, .	iic li.
Dande Crosar alias Parttis Dande, ...	iic li.	Andro Crosar alias Markis Andro, ...	iic li.

At Sanctandrois, the sext day of Maii 1569.

Erll of Craufurdis offers.

My Lord of Craufurd offeris and is content to recognosce and acknawlege James the Sext be the grace of God King of Scottis as his onelie Soverane Lord, promeissand unto him obedience and fidelitie in all tyme cuming; as alsua sall obey my Lord Regent in his office of Regentrie during the tyme thairof; and heirupoun is content to gif his solempnit ayth and subscriptioun manuall thairon, as utheris nobill men and baronis hes done.

My Lord of Craufurd sall, in presens of my Lord Regent and of the Erll of Mortoun Chancellar of Scotland, confess and declair quhat wes his part and interes anent the purpose divisit be the Erll of Huntlie and utheris aganis the said Erll of Mortoun at Kerymure upoun the xxix day of Julii 1568; and for satisfactioun of my said Lord of Mortoun, sall mak sic amendis in honour and utherwayis to him, as my Lord Regentis Grace sall think ressonabill and command to be done.

Item, my Lord of Craufurd is content to refer himself to the jugement of twa freindis to be nominat be him, and twa to be nominat be the Clerk of Register and Williame Halieburtoun in , anent all grudge and unkyndnes, wrang, or elest, standing betuix him and ather of the saidis personis, anent the rowme of Lawtoushall , or for ony uther caus or occasioun; or in caise of thair discord, to my Lord Regent as odman and owrisman; and heirupoun sall subscrive a compromit

For observatioun of thir premissis, my Lord of Craufurd sall ather entir him self, or sic of his freindis as my Lord Regent sall nominat, to remane as plegeis in sic partis and for sic space as my Lord Regent sall think gude.

Thir thingis being performit, my Lord of Craufurd sal haif a plane remissioun to himself and his houshald servandis for all crymes bigane sen his defectioun fra the Kingis obedience; and thaireftir my Lord Regent sall accept him in speciall favour, freindschip, and kyndnes; and sall use him as ane nobill man of his estait in all conditionis. Sic subscribitur, James Regent. Craufurd.

[The same day, Lord Ogilvy gives an acknowledgment in the same terms with the following special] my Lord Regentis Grace sall warrand the teind

schaves of Balmukkaty to Johnne Lyoun of Cossynnis, swa that he sall nocht be molestit in the brouking of the samyn in tyme cuming, nocht-withstanding ony titill maid thairof to Johnne Ogilvy of Kynnordy, the said Johnne Lyoun payand his dewitie usit and wount.

At Sanctandroise, the xiiii day of Maii 1569.

Articles to be performit be my Lord of Huntlie to the Kingis Majestie our Soverane Lord and to my Lord Regent in his name during his Majesteis minoritie.

Item my Lord of Huntly sall acknawlege, reverence and obey James the Sext be the grace of God, King of Scottis, as his onelie Soverane, and sall manteine and set furthwart the regiment of this realme establissed in the persoun of the Erll of Murray his Hienes Regent during his Majesteis minoritie, and thairupoun sall gif his solempnit ayth and subscriptioun as uther nobill men hes done. Articles to be performit by my Lord of Huntly.

Item, for sic grudge, elest and occasioun of offence as presentlie standis betuix my Lord of Huntly and Lord of Mortoun, my Lord of Huntly sall do for satisfactioun of my Lord of Mortoun in honour and utherwayis all that my Lord Regent sall think ressonabill and will desire to be done, swa that all ruit and occasioun of greif and displesour betuix thame may be removit.

Item, gif ony that hes assistit or takin part with the Erll of Huntlie in tyme bigane resistis or rebellis aganis our Soverane Lord or his authoritie, my Lord of Huntlie sall unfenyeatlie declair him enemy unto thame, and sall do his exact diligence to repres thame or bring thame to justice.

Item, my Lord sall deliver to my Lord Regent, or ony he plesis to direct, the cannoun, with the furniteur presentlie being in the North.

Item, for observatioun of the article abonewrittin, my Lord of Huntly sall entir to my Lord Regent, George Lord Gordoun his sone and apperand air, Adame Gordoun of Auchindoun or Patrik Gordoun his brother, and Johnne Gordoun of Cluney—eldest sone of umquhile Alexander Gordoun of Stradoun, or ony twa of thame, to remane as plegeis in ward in sic places and for sic space as my Lord Regent sall think ressonabill. Sic subscribitur, George Erll of Huntly.

Articles to be performit to my Lord of Huntlie, the uther articles befoir writtin being permit be him.

Item, my Lord of Huntly sal haif a remissioun to him self his brether and houshald servandis, to all tenentis dwelland on his propir landis and to sic his wassellis as haldis thair landis of na uther superior, for all crymes bigane sen the xi day of Junii 1567,—ydolatre, wichcraft, incest, adultre, murthour, slauchter, fyrerasing, revising of wemen, thift, and resset of thift exceptit; my Lord of Huntly payand to my Lord Regent or ony utheris in his name sic sowmes of money at sic termis of payment, as hes Articles to be performit to my Lord of Huntly.

been specialie spokin and condiscendit upoun betuix my Lord of Huntly, the Erll of Atholl, my Lord Hume and the Secretare.

Item, as my Lord Regent for establissing of the Kingis obedience and commoun peace and tranquillitie of the realme, hes thus favourable usit my Lord of Huntlyis self, sa upoun the same respectis my Lord Regent is nocht myndit to wrak the utheris personis that hes takin part and assistit the said Erll of Huntlie, or schewin thame selffis dissobedient to the Kingis authoritie in the North of Scotland in tyme bipast, bot in caise of thair submissioun and dew obedience to be maid and offerit be thame, sall grant to everie ane of thame a remissioun in particular for the crymes foirsaidis, and that for ressonabill compositionis to be payit be thame to my Lord Regent or to our Soverane Lordis Thesaurare in his name upoun everie mannis awin sute; providing that thai quhilkis dwellis within the Sherefdomes of Abirdene and Banff mak thair submissioun befoir the fyft day of Junii, and all personis within the Sherefdomes of Elgin and Fores befoir the ellevint, and all personis within the Sherefdomes of Narne and Invernes befoir the xviii day of Junii.

Item, in considderatioun of my Lord of Huntlyis gude will and ernistness to satisfie all personis that hes ressavit skayth in thair gudis during the tyme of the lait troubles and emotioun, and that the dangeare may be greit gif ony personis presentlie nocht satisfiit sall call him or his freindis and servandis heireftir for spulye. Thairfoir my Lord Regentis Grace promittis to laubour and obtene of the thre estaittis at the nixt Parliament a discharge in forme of Act to the said Erll of Huntly, and all his assistaris and partakaris, for all actioun civile of spuilyeis, reiffis, and oppressionis committit be thame upoun the occasioun of the common caus in serving as pretendit lieutenent to the Quenis Grace our Soverane Lordis Moder fra the first day of August 1568 to the last day of Marche 1569, except the leid pertening to Alexander Clerk and umquhile William Birny quhilk sall na wayis be comprehendit under the said discharge; to the effect that nane of thame be callit or persewit thaireftir for ony thing attemptit during the said space, and in the menetyme sall caus persute ceise civile for the caussis foirsaidis, providing alwayis that he keip the pointis of his obligatioun of this same dait, utherwayis nowther he nor his assistaris to brouke the benefite of this present article.

Erll of Huntly obleist to satisfie all personis skathit.

The quhilk day, George Erll of Huntly Lord Gordoun and Badyenoch for himself, and takand the burding upoun him for all personis his freindis or utheris, that raise, assistit, or come in cumpany with him, at ony gadderingis, raidis, conventionis, or actionis of deid, committit upoun the occasioun of the commoun caus in serving as pretendit Lieutenent to the Quenis Grace our Soverane Lordis Moder fra the first day of August 1568 to the last day of Marche 1569,—is becum actit and obleist of his awin motive will;—that he sall satisfie, content and pay all personis skaythit or hurt in thair gudis be him or thame that wer in cumpany with him at quhatsumevir place or tyme during the said space, at the jugement, sicht, discretioun

and modificatioun of Johnne Erskin of Dun, Sir Johnne Wischert of Pittarro knycht, and Thomas Menzeis of Petfoddellis Provest of Aberdene, conjunctlie, to be gevin and pronunceit be thame—nocht eftir the forme of proceding of the Lordis of Sessioun, Shereffis or uther ordinar jugeis, be geving of the avale and quantitie to the ayth of the complenar, bot be summar cognitioun in ressonabill and tollerabill maner, to be modifiit or diminissit be thame according to equitie and conscience,—to quhais jugement, sicht, discretioun, and modificatioun the said Erll of Huntlie, for himself and takand the burding upoun him as said is, submittand himself, renunceand all uther jugement and jurisdictioun whatsumevir, and is content that thair deliverance decreit and jugement, be als valiabill, and siclyke executioun to pas thairupoun, as gif the same wer gevin and pronunceit be the Lordis of Counsale and Sessioun; providing that thair said declaratioun be pronunceit betuix and the tent day of October nixtocum. In witness quhairof, we have subscrivit this present writt with oure hand, day, yeir, and place foirsaidis. Sic subscribitur, George Erll of Huntly.

In the commoning and appointment maid at Sanctandrois be articles betuix my Lord Regentis Grace in our Soverane Lordis name, and George Erll of Huntly, the said xiiii day of Maii, it was specialie spokin, exceptit and providit, that the actionis quhilkis the Erll Marscheall, the Lord Saltoun, and Abott of Kinloss, nather is nor salbe comprehendit under the saidis articles, bot that thai may persew thair actionis for ony caus committit or done aganis thame or ony of thame during the tyme specifiit in the saidis articles, gif thai be nocht utherwayis satisfiit to thair contentment.

Apud Sanctandrois, xv Maii, anno, etc. lxix°.

Caution for Cokburne of Dolphington.

The said day, Michaell Nesmyth of Posso become cautionar and souertie for Johnne Cokburne of Dolphingtoun, in presence of my Lord Justice Clerk, that the said Johnnes cornis, cattell, gudis, geir, males, fermis, dewiteis, annuellis, frutis of benefices and utheris now being on ony his rowmes within this realme and pertening to him, or that he may clame titill to, salbe furthcumand and be reddy quhen my Lord Regentis Grace sall call thairfoir; and the said Johnne Cokburne obleist him to releif his said souertie of the said cautioun in all and be all thingis foirsaidis; and thai bayth ar content this Act be insert in the bukis of Secreit Counsale, and executorialis to pas thairupoun in forme as efferis; subscrivit with thair handis, day and place foirsaidis. Sic subscribitur, Johnne Cokburne of . Michaell Nesmyth of Posso, with my hand.

Apud Sanctandrois, xvi Maii, anno, etc. lxix°.

Proclamatioun to keip the raid appointit in the North.

Forsamekill as our Soverane Lordis lettres wer direct of befoir, chargeing all and sindry his Hienes lieges, inhabitantis within the boundis of the Sherefdomes of Fyff, Kinross, Perth, Forfair, Kincardin, Abirdene, and Banff, and Stewartreis of Stratherne and Menteith, betuix lx and xvi yeris,

and utheris fensabill personis alsweill dwelland to burgh as to land within Regalitie as Rialtie, that thai and ilk ane of thame, weill bodin in feir of weir, with xxx dayis victualis and provisioun, sould convene and meit my Lord Regentis Grace at Brechin the first day of Junii nix to cum; and fra thyne to pas furthwart as thai sould be commandit, for repressing of our Soverane Lordis dissobedient subjectis, and reduceing thame to his Hienes obedience, under the pane of tinsall of lyff, landis, and gudis. Bot becaus of the lait conference had at Sanctandrois, diverse of the liegis may call in doubt quhethir it be neidfull to thame to observe the commandement of the formar proclamatioun, my Lord Regent, with avise of the Lordis of Secreit Counsale, for resolving of the said doubt, ordanis lettres to be direct of new, chargeing all our Soverane Lordis liegis within the saidis boundis, be oppin proclamatioun at the marcat croces of the said burrois within the saidis Sherefdomes and Stewartreis, alsweill dwelland to burgh as to land, within Regalitie as Rialtie, that thai observe and keip the said first proclamatioun in all respectis and conditionis abonespecifiit, without excep or delay, eftir the forme of the same proclamatioun, and under the panis abone mentionat contenit thairin; certifeing thame that failyeis, thay sal becallit and accusit thairfoir at particular diettis, as dissobeyaris and contempnaris of the same proclamatioun, and thair eschetis salbe disponit and uptakin thairfoir without favour.

Apud Dunnotir, tertio Junii, anno, etc. lxix.

Proclamatioun to mak thair submission.

Forsamekill as for quieting of the civile and inward troublis quhairwith the commoun weill of this realme at Goddis plesour hes bene plagit this quhyle bigane, my Lord Regent is reparit in propir persoun to thir north partis, of ferme purpois and deliberatioun to reduce sic as hes neglectit thair dewitie in tyme bipast, to oure Soverane Lordis trew obedience; meaning na wayis to execute that rigour and ordinar forme of justice quhilk the qualitie of the cryme meritis, bot in place thairof intending to use lenitie and moderatioun; sa that quhatsoevir hes bene spokin, condiscendit or aggreit upoun to the ease and releif of the personis culpabill of the defectioun frome oure Soverane Lordis obedience, my Lord Regent in his Majesteis name myndis undoubtedlie to observe the samyn; submissioun being maid and pardoun cravit and obtenit tymouslie and befoir the outrynning of the dayis prescrivit. Quhairfoir and to the effect that nane heireftir sal haif occasioun justlie to murmour or grudge of extreme or rigorous handilling in caise thai neglect to crave and ressave the favour promissit within the space limitat, my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, ordanis lettres to be direct to officiaris of armes, Sheriffis in that part, chargeing thame to pas to the marcat croce of Abirdene, and thair, be oppin proclamatioun, in our Soverane Lordis name and authoritie, command and charge all and sindry his Hienes liegis, dwelland within the Sherefdomes of Abirdene and Banff, quhilkis hes maid defectioun and schawin thame selffis dissobedient to the Kingis Majestie

and his authoritie in tyme bipast, that thai and everie ane of thame, be tham selffis, mak thair submissioun and trew obedience, requiring and obtening remissioun and pardoun for thair offence betuix and the fyft day of Junii instant as is prescrivit; and to that effect present thair desiris in tikket to the Lordis Compositouris quhilkis sall sit and be reddie to ressave the samyn in the Provest of Abirdenis ludgeing; certifeing thame that contempnis or neglectis, the speciall day appointit being bigane, thay sall nocht be hard thaireftir, bot the rigorous executioun of the law be forfaltour or utherwayis salbe extendit and usit aganis thame according to the qualitie of the crymes committit be thame, and as thai haif deservit; and forther, seing gude will and ernistnes in George Erll of Huntly Lord Gordoun and Badyenoch, to satisfie all personis that hes ressavit skayth in thair gudis during the tyme of the lait troubles and emotioun, and that the dangeare may be greit to him and his partakaris gif ony personis presentlie nocht satisfiit sall call him or thame heireftir for spuilye, and on pretence of prevat revenge keip thair actioun afoir hand to ane uther tyme quhairin na quietnes bot renovatioun of displesour and troubill may arryise; thairfoir to command and charge all and quhatsumevir personis that hes ressavit skayth in thair gudis be the said Erll and his partakaris at quhatsumevir place or tyme fra the first day of August the yeir of God j^{m}v^{c} thre scoir aucht yeris, to the last of Marche the yeir of God j^{m}v^{c}lxix yeris instant, that thai present and gif in thair complaintis thairupoun, to Johnne Erskin of Dun, Sir Johnne Wischert of Pittarro Knycht, and Thomas Menzeis of Petfoddellis Provest of Abirdene,—conjuntlie, or in absence of the twa first namit, to the said Thomas Menzeis—quha sall ressave the samyn at all tymes betuix and the first day of Julii nix to cum,—to the effect, that at thair jugement, sicht, discretioun and modificatioun to be gevin and pronunceit be thame conjunctlie, all personis hurt or skaythit in thair gudis, as said is, may be satisfied, contented, and payed thairof; and thair declaratioun thairupoun to be pronunceit betuix and the tent day of October nix to cum; and the same thair deliverance, decreit, and jugement to be als raliabill, and siclyke executioun to pas thairupoun, as gif the samyn wer gevin and pronunceit be the Lordis of Sessioun; with certificatioun to all and sindry personis that neglectis or delayis to gif in thair saidis complaintis or clames in maner foirsaid within the space abone specifiit, the occasioun of the want of thair gudis salbe in thair awin defalt. Mairower, in respect my Lord Regentis Grace cuming and travell in this cuntre is for administratioun of justice and to settill and estableis universall peace and quietnes, it is convenient that na thing be attemptit quhilk may gif occasioun of the contrary, and thairfoir, to command and charge all our Soverane Lordis liegis convenit for convoying and accumpaneing of his Grace, or resorting within this burgh or ony uther part quhair he sal happin to resort during his being on the north syde of the Month, that thai and everie ane of thame contene thame selffis in quietnes, and na wayis invaid, molest, troubill, inquiet, or gif occasioun of injurie and offence to utheris in word, deid, or countenance, owther for auld feid or new, under

the pane of deid; certifeing thame that failyeis, the said pane of deid salbe execute upoun thame with all rigour in exempill of utheris, and that nane quhilkis hes maid defectioun and bene dissobedient to the Kingis authoritie in tymes bigane, and cummis presentlie to mak submissioun in feir of weir, bot peciabillie, without uther armour sauffing thair swerdis and quhinzearis, as thai will answer at thair uttirmest charge and perrell.

Thir ar the offeris of me Lauchlane M^{c}Yntosche of Dunnauchtane to my Lord Regentis Grace, quhilkis being accomplissit be me, I humelie desire mercy and pardoun in forme as followis:—

M^{c}Yntosche offeris.

In the first I sall acknawlege and recognosce the maist excellent and michtie Prince James the Sext, be the Grace of God King of Scottis, as my undoutit and onelie Soverane, his Hienes authoritie and lawis; and the regiment establissed in the persoun of my Lord Regent during his Hienes minoritie, I sall obey and serve as becumis a dewtifull subject, and heirupoun sall gif my solemnit ayth and subscriptioun manuall.

Item, forsamekill as the Erll of Huntly hes takin upoun him for himself and his partakaris, to satisfie all personis hurt or skaythit in thair gudis be him or his saidis partakaris fra the first day of August 1568, to the last day of Marche 1569 instant, that thai sal haif na just occasioun of complaint; nevirtheles, I sall redresse and satisfie Andro Monro of Newmoir for all skayth and dampnage that he hes sustenit throw his ejectioun fra the landis of Cullaird, and want of the geir and proffeittis thairof; that is to say, I sall restoir to the said Andro a boll of corne for everie boll of corne takin be me upoun the ground, ane ox for ane ox, ane kow for a kow; and of everie kynd of gudis lyke for lyke of the same valeu as I intromettit with; and als I sall restoir the said Andro to the full and peciabill possessioun of the saidis landis as thai ar now sawin; and siclyke, sall restoir George Dunbar peciabillie to the possessioun of the hous and landis of Both, lyke as he wes the tyme of his ejectioun thairfra; and sall satisfie him and all utheris dwelland be west Spay for all gudis takin fra thame be me or my kin during the said space, lyke gudis and quantitie.

Item, I for myself and in name of my haill kin and freindis of the Clanquhattan, promeissis to behave our selffis as faythfull and obedient subjectis to our Soverane Lord, his Regent and authoritie in tyme cuming; and sall keip gude rewle and quietnes unoffending aganis the lawis, or makand troubill and insurrectioun heireftir; and gif ony of my kin will nocht obey me in this behalf, I sall, upoun my Lord Regentis power to be gevin to me, owther deliver or present thame to the Justice, or than put thame out of the cuntre.

Item, I sall caus sic personis of the Clanquhattan as offendit my Lord Lovett the tyme of the making of our Soverane Lordis proclamatioun, mak amendis and satisfactioun to his Lordschip thairfoir, at my Lord Regentis sicht and commandiment.

Item, for observatioun and sure keping of all and sindry the premissis,

I sall owther entir myself or sic personis of my kin and freindis as my Lord sall name and think ressonabill, to remane as plegis with his Grace in sic places and for sic space as he sall think convenient; and gif sic personis as his Grace namis to me will nocht entir as plegeis, I sall entir sic utheris as his Grace sall name that will obey me; or ellis entir myself as is abonespecifiit.

Thir thingis being accomplissit and fulfillit be me, I humelie crave remissioun to myself and haill personis of the Clanquhattan, unlandit or beneficit, and nocht dwelland upoun my Regentis propir landis, for all crymes committit be us sen the xi day of Junii 1567 to the dait heirof,—ydolatre, wichecraft, incest, adultre, murthour, slauchter, fyre rasing, revesing of women, thift and resset of thift exceptit. Sic subscribitur, Lauchlane Makintosche of Dunnauchtane, etc.

Apud Abirdene, septimo Junii, anno, etc. lxix°.

Proclamatioun to pas furthwart to Invernes.

Forsamekill as my Lord Regentis Grace intendis, God willing, to proceid and pas furthwart throw the north partis of this realme, and to tak jornay the morne the aucht day of this instant to that effect; thairfoir ordanis ane maser or ony uther officiar of armes to pas, and in our soverane Lordis name and authoritie, command and charge all and sindry his Majesteis liegis convenit and subject to this present raid and army, that thai, and ilkane of thame, prepair thame selffis and be in full reddines in thair armour, to pas furthwart and attend upoun my said Lord Regent quhair he sal happin to repair, unto his returning to the sowth cuntre; and that the tyme of the proclamatioun be fully endit and compleit, and that thai be togidder at all occasionis at the sound of the trumpet; certifeing thame that failyeis herein, thay sal be callit particularlie be thair names and surnames at the last day of the proclamatioun; and quha beis fund absent, or notit to have contravenit the formar proclamatioun, salbe puneist to the extremitie, according to the tennour of the same proclamatioun.

Thir ar the offeris of me Johnne Grant of Frewchquhy to my Lord Regentis Grace quhilkis being accomplissit be me I humelie desire mercy and pardoun in forme as followis:

The Lard of Grantis offeris.

In the first, I sall acknawlege and recognosce the maist excellent and michtie Prince James the Sext, be the grace of God, King of Scottis, as my undoutit and onelie Soverane, his Hienes authoritie and lawis; and the regiment establissed in the persoun of my Lord Regent during his Hienes minoritie, I sall observe and obey as becumis a dewtifull subject; and heirupoun sall gif my solempnit ayth and subscriptioun manuall.

Item, forsamekill as the Erll of Huntlie hes takin upoun him, for himself and his partakaris, to satisfie all personis hurt or skaythit in thair gudis be him or his saidis partakaris fra the first day of August 1568 to the last day of Marche 1569 instant, that thai sal haif na just occasioun of complaint;

nevirtheles, I sall satisfie all personis dwelland be West Spay for all gudis takin fra thame be me or my kin and servandis, during the said space, lyke gudis and quantitie.

Item, I for myself and in name of my haill kin and friendis of my surname and utheris my servandis and tenentis, promeissis to behave our selffis as faythfull and obedient subjectis to our Soverane Lord, his Regent and authoritie in tyme cuming; and sall keip gude rewll and quietnes unoffending aganis the lawis, or making troubill and insurrectioun heireftir; and gif ony of my kin will nocht obey me in this behalf, I sall upoun my Lord Regentis power to be gevin to me, owther deliver or present thame to the Justice, or than put thame out of the cuntre.

Item, for observatioun and sure keping of all and sundry the premissis, I sall owther entir my secund sone or Patrik Grant of Dalvey, to remane as plege with his Grace in sic place and for sic space as he sall think convenient.

Thir thingis being accomplissit and fulfillit be me, I humelie crave remissioun to my self and haill personis of my surname and tenentis unlandit or beneficit, and nocht dwelland upoun my Lord Regentis propir landis, for all crymes committit be us sen the xi day of Junii 1567 to the dait heirof,—ydolatre, wichecraft, incest, adultre, murthour, slauchter, firerasing, revesing of women, thift and resset of thift exceptit. Sic subscribitur, Johnne Grant of Fruquhy.

Apud Elgin, xiii die mensis Junii, anno, etc. lxix.

Erll of Huntlyis promeise to McKy.

My Lord of Huntlie promittis to dispone heretablie the landis of Strathnaver, sa far as is nocht the Erll of Sutherlandis, to Y M°Ky of Far for payment of the sowme of four thowsand markis, be resignatioun, to be haldin of the King, the said sowme to be payit at the termis following; that is to say, at the making and delivering of the evidentis upoun xv dayis warning, twa thowsand merkis; and the last twa thowsand markis at the feist of Martimes nix to cum; and at the ressait of the evidentis, sall find sufficient souertie and cautioun thairfoir, with provisioun that the said Y M°Ky sall leif the landis of Suthirland to be usit and broukit be my Lord of Sutherlandis as his fader and foirbearis hes done of befoir. Sic subscribitur. Huntlye.

Apud Invernes, xvi Junii, anno, etc. lxix.

Sederunt. Jacobus Dominus Regens. Jacobus Comes de Mortoun. Joannes Comes de Atholl. Georgius Comes de Caithnes. Magister de Marschell. Magister de Grahame. Patricius Dominus Lindesay. Laurencius Dominus Oliphant. Joannes Dominus Glammis. Willelmus Dominus Ruthven. Joannes Dominus Innermeyth. Clericus Registri. Commmendatarius de Dunfermling. Commendatarius de Balmerynoch.

Ogilvy.

The quhilk day, anent the complaint presentit on the behalf of Barbara Ogilvy relict of umquhile Alexander Ogilvy of Cullard and Johnne Pan-

toun of Petmedden, now hir spous, for his interes, aganis Johnne Ross burges of Invernes, and diverse utheris, for the violent spoliatioun of diverse gudis furth of the place of Cullard. The said Johnne Ross, comperand personalie, grantit that thair wes twa silver pecis or cowpis, the ane thairof havand ane cover weyand xxxiiii unce or thairby deliverit to him in keping, and that he deliverit the same twa pecis and cover in name of the said Barbara to James Dunbar of Tarbert, hir gude brother, as his acquittance beris; quhilk James comperand alsua personalie grantit the ressait of the saidis twa cowpis, with the cover, fra the said Johnne Ross; and in presence of the saidis Lordis become dettour for the same to the said Barbara and hir said spous, quha for himself and takand the burding upoun him for the said Barbara and all utheris havand entres, acceptit the said James Dunbar as dettour; and the said James obleist him, his airis and executouris, to deliver the samyn coupis to the said Barbara and hir spous foirsaid; and thairfoir the said Johnne Pantoun, for himself and his said spous, exonerit quitclamit and dischargeit the said Johnne Ross, his airis and executouris of the same for evir, and obleist him and his airis and executouris to warrand and releif the said Johnne Ross thairof at the handis of all personis havand or pretendand interesse; lyke as alsua the said Johnne Ross exonerit and dischargeit the said James Dunbar of the saidis twa pecis, and of all obligationis and actis in the Sheref Court bukis or utherwayis quhairby the said James Dunbar wes obleist for the saidis coupis to the said Johnne Ross; quhairupoun all the saidis personis, hinc inde, askit actis and instrumentis.

Apud Invernes, xvii Junii, anno, etc. lxix.

Sederunt. Domini ut in die predicto.

Ross denyit ony titill to the Ward of McCulloch.

The quhilk day, Maister Thomas Ross, procuratour for Nicholas Commendatare of Ferne, and Thomas Ross his sone, comperand befoir my Lord Regentis Grace, and Lordis of Secreit Counsale, the saidis procuratour and Thomas denyit that ather the said Commendatare or Thomas had ony rycht and titill to the ward and mariage of the airis of umquhile Johnne McCulloch of Mekill Terrell, neythir be assignatioun of Maister Duncane Chalmer, Maister David Chalmer, nor na utheris; quhairupoun Andro Monro of Newmoir askit actis and instrumentis.

Apud Invernes, xviii Junii, anno, etc. lxix.

Sederunt. Domini ut in die predicto.

Falconar.

Sheref of Narne.

The quhilk day, anent the complaint presentit to my Lord Regentis Grace and Lordis of Secreit Counsale, be Bessy Falconar, relict of umquhile Walter Barclay, aganis Maister Alexander Campbell, Sheref of Narne. Bayth the partiis comperand personalie, my Lord Regentis Grace decernis and ordanis the said Maister Alexander to appryise, compell, poind and distrenye the reddiest gudis and geir of the personis intromettouris

with the gudis and geir of the said Bessy and hir umquhile spous foirsaid; and to mak penny of the same, and mak the said Bessy to be payit of the sowme of xiiii markis within the space of aucht dayis eftir the dait heirof; and that lettres be direct heirupoun, gif neid be, in forme as efferis.

Tenentis Dundarfat. The quhilk day, anent the complaint presentit to my Lord Regentis Grace, and Lordis of Secreit Counsale, be the tenentis of Dundarfat aganis George Monro baillie of Ardmanoch, makand mentioun that he hes send his officiaris to tak up uncustomes sic as ane cott hen, and ane rak d. from every cottar; and in like maner thai ar chargeit, with thair Maister James Gray with all sic uncustumes. My Lord Regentis Grace and Lordis of Secrete Counsale, eftir cognitioun takin in the caus, dischargeis bayth the partiis of uptaking of ony sic uncustumes quhill the next Chekker, that the Lordis and Auditouris thairof may gif directioun to the baillie and officiaris of the said Lordschip of Ardmanoch how to use the tenentis of the landis thairin, laitlie set in feu, in tyme cuming.

Tenentis Auchtirslo. Monro. The quhilk day, anent the complaint presentit to my Lord Regentis Grace, and Lordis of Secreit Counsale, be the tenentis of the landis and townis of Auchterslo, Balmadothe, Mekill Suddy, mylne, mylne landis of the samyn, and Casteltoun, liand within the lordschip of Ardmanoch, aganis Andro Monro in Newmoir, for chargeing thame with extraorbitant cariage and for spoliatioun fra thame of ten oxin. My Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, decernis and ordanis the said Andro Monro to restoir and deliver agane to the saidis tenentis the saidis ten oxin; and als ordanit the saidis tenentis to acknawlege, serve and obey the said Andro Monro as fewar of the saidis landis in tyme cuming.

M°Yntosche. M°Rannald. At Invernes, the xx day of Junii, the yeir of God j^{m}v^{c}lxix yeris, in presence of my Lord Regentis Grace and Lordis of Secreit Counsale, comperit Lauchlane M°Yntosche of Dunnauchtane, and gaif in his obligatioun following, subscrivit with his hand, to be insert in the bukis of Secreit Counsale ad perpetuam rei memoriam, of the quhilk the tennour followis: —I, Lauchlane M°Yntosche of Dunnauchtane, be the tennour heirof bindis and obleissis me and my airis, that I sall mak securitie to Rannald M°Rannald of Keppach of sic landis and rowmes as he hes of me, at the sicht of my Lord Regentis Grace, according as his Grace sall think ressonabill and equitabill; and quhatevir his Grace willis me to do in that behalf, I sall fulfill the samyn without contradictioun. In witnes heirof I haif subscrivit this my obligatioun, with my hand, at Invernes the xx day of Junii, the yeir of God j^{m}v^{c}lxix yeris.

Apud Invernes, xxi Junii, anno, etc. lxix°.

Cautio M°Yntosche. The quhilk day, James Erll of Mortoun Lord of Dalkeyth Chancellar of Scotland become souertie to entir Lauchlane M°Yntosche of Dunnauchtane

befoir my Lord Regentis Grace in Abirdene the tent day of Julii nixtocum, under the pane of v^{m} markis.

The quhilk day, Johnne Erll of Atholl Lord of Balvany, George Erll of Caithnes, and Johnne Lord Innermeyth, become souertie, conjunctlie and severalie, to entir Alexander Ross of Balnagown befoir my Lord Regentis Grace, in Abirdene, upoun the tent day of Julii nix to cum, under the pane of v^{m} markis. Caution for Balnagown.

The quhilk day, Walter Urquhart Sheref of Cromarty become souertie for Andro Grant in Rossmarky, that he sall compeir befoir the Justice or his deputtis in the Tolbuyth of Elgin, upoun fuirsday nixtocum at ten houris befoir none, under the pane of v^{c} markis. Caution for Grant.

The quhilk day, Johnne Innes of Innerbraky, and Maister Cuthbert Ker, become souerteis, conjunctlie and severalie, for Williame Barbour in the Channonrie of Ross, and Williame Barbour his sone, that thai sall compeir befoir the Justice or his deputtis in the Tolbuyth of Elgin upoun fuirsday nix to cum, ilk persoun under the pane of v^{c} markis. Caution for Barbour.

The quhilk day, in presens of my Lord Regentis Grace and Lordis of Secreit Counsale, Coline M^{c}Kenze of Kintaill, promittit and obleist him, that he sould caus Torquill M^{c}Claude get and obtene, ane sufficient lettre of slanis, of the maister wyff bairnis and principall kin and freindis, of umquhile Johnne M^{c}Anemoir; and the said lettre of slanis being gottin, Robert Monro of Fowlis promeist and obleist him to deliver to the said Torquill or Coline the sowme of twa hundrith markis, being consignit in the said Robertis handis be certane marchantis of Edinburgh, as for the assyithment of the slauchteris committit at Lochcarron. Promeis of M^{c}Kenze.

Apud Elgin, xxiiii Junii, anno, etc. lxix.

Sederunt. Jacobus Dominus Regens. Jacobus Comes de Mortoun. Joannes Comes de Atholl. Patricius Dominus Lindesay. Joannes Dominus Glammis. Dominus Gray. Joannes Dominus Invermeyth. Commendatarius Dunfermling. Commendatarius Balmerynoch. Clericus Registri. Balnaves.

Anent the complaint maid to my Lord Regentis Grace and Lordis of Secreit Counsale, be James Lindesay collectour of Murray, makand mentioun. That the thrid of the Priorie of Pluscardin is restand awand of the croppis and yeris of God j^{m}v^{c}lxvii, lxviii, and of the Witsonday term j^{m}v^{c}lxix yeir instant, quhairof the said Collectour can get na payment to the releif and sustentatioun of the Precheouris and utheris travelling the charge of ministerie within the kirk of God. Upoun quhilk complaint my Lord Regentis Grace and Lordis foirsaidis causit call ane greit nowmer of the tenentis of the said Pryorie, and als James Seytoun, servitour to George Lindesay Collectour. Pluscardin.

Lord Seytoun; and eftir ressoning of the mater in presence of the saidis tenentis and James, my Lord Regentis Grace, with avise of the saidis Lordis, ordanis lettres to be direct, to fense and arreist, all and sindry males fermis proffeittis and dewiteis of the said Pryorie, to remane in the handis of the tenentis, fewaris and possessouris, of the landis, teindis, fischeingis and possessionis pertening thairto, ay and quhill the said Collectour be satisfiit and payit, of the thrid of the said Priorie of the saidis yeris and terme bigane restand awand unpayit; and to that effect, that ye command and charge all and sindry the saidis tenentis, fewaris, and possessouris, of the landis, teindis, fischeingis, and possessionis, pertening to the said Pryorie, to answer and mak payment of the first and reddiest thairof to the said Collectour, ay and quhill he be payit of the said thrid of the yeris and terme abonewrittin,—within ten dayis nixt eftir thai be chargeit thairto, under the pane of rebellioun and putting of thame to the horne; and gif thai failye thairin, the saidis ten dayis being bipast, to denunce thame rebellis and put thame to the horne, and to escheit, etc.

Elizabeth Innes. Johnne Innes.

Anent the complaint presentit to my Lord Regentis Grace and Lordis of Secreit Counsall, be Elizabeth Innes spous to Petir Winsister of Ardtrailye, makand mentioun that quhair Johnne Innes of Auchlonkart, as principall cautionar and full dettour for Alexander Innes of Crummy, is actit and obleist in the Commissaris bukis of Elgin, to content and pay to hir the sowme of thre hundrith markis money at ane certane day bipast; nochtheles, the said Johnne, nocht onelie refuissis to mak payment, bot hes brokin the arreistment maid upoun his gudis. Bayth the partiis comperand personalie, thair ressonis and allegationis hard and understand. My Lord Regentis Grace, with avise of the saidis Lordis, decernis and ordanis the said Johnne Innes, of his awin confessioun—the said Petir acceptand and aggreing thairunto—to content and pay the said sowme of thre hundrith markis to the said Petir betuix the dait heirof and the first day of August nix to cum; and failyeing thairof, is content that lettres of horning or poinding be direct thairupoun in forme as efferis.

Caution for Dunbar of Pethink.

The quhilk day, Sir Johnne Gibsoun become souertie for Archibald Dunbar of Pethink to pay Sir Williame Dowglas the det awing to him, contenit in oure Soverane Lordis lettres producit be the said Sir Williame, betuix the dait heirof and the first day of August nixtocum; and the said Archibald obleist him to warrand, releif, and keip the said Sir Johnne skaythles.

Apud Abirdene, xxix Junii, anno, etc. lxix°.

Caution for Charles.

Thomas Menzies of Petfoddellis become souertie for Johnne Charles, that he sall compeir and underly the law befoir the Justice or his deputtis, in the Tolbuyth of Abirdene, upoun Twysday nixtocum the day of Julii nixtocum for all crymes that can be laid to his charge, under the pane of v^{c} li.

Apud Abirdene, ultimo Junii, anno, etc. lxix°.

Sederunt. Jacobus Dominus Regens. Jacobus Comes de Mortoun. Joannes Comes de Atholl. Patricius Dominus Lindesay. Joannes Dominus Glammis. Dominus Gray. Joannes Dominus Innermeyth. Commendatarius Dunfermling. Commendatarius Balmerynoch. Clericus Registri. Clericus Justiciarie.

Discharge of Principall and Sub-principall of Abirdene.

The quhilk day, Maister Alexander Andirsoun principall, Maister Andro Galloway sub-principall, Maister Andro Andersoun, and Maister Duncane Nory Regent of the College of Auld Abirdene, being callit in presence of my Lord Regentis Grace and Lordis of Previe Counsale, and desyrit be thair subscriptionis to gif attestatioun and plane professioun of the Confessioun of the Fayth, with all utheris Actis maid concerning the religioun of Jesus Chryst in the Parliamentis haldin at Edinburgh the xxiiii day of August, the yeir of God j^{m}v^{c}lx yeris, and the xvi day of December, the yeir of God j^{m}v^{c}lxvii yeris. The saidis personis refusit to gif thair said professioun be thair hand writtis; in respect quhairof, my Lord Regentis Grace, with avise of the saidis Lordis, hes fund the saidis personis dangerous and unmeit to haif cure of the instructioun of the yowth, for the perrell and inconvenient bayth of thair bodiis and saulis. Quhairfoir, and in respect of the Act of Parliament, proporting that nane be permittit nor admittit to haif charge and cure in sculis or universiteis, nor to instruct the yowth privatlie or opinlie, bot sic as salbe tryit be the Superintendentis and Visitouris of the kirk; and in respect of the saidis personis plane denyall to joyne to the trew Kirk of God, according to the said Confessioun of the Fayth; my Lord Regentis Grace, with avise of the saidis Lordis, declaris and decernis that the saidis personis ar and salbe deprivit, and presentlie standis deprivit, ipso facto, of all instructioun of the yowth within this realme, and of all honouris, digniteis, functionis, pre-eminence, facultie, privilege, place, and titill, within the said College; and ordanis lettres to be direct, chargeing the saidis Mr. Alexander Andirsoun, Maister Andro Galloway, Maister Andro Andirsoun, and Maister Duncane Nory, to remove, devoid and red thame selffis, thair servandis and propir gudis belonging to thame selffis, furth of the said College; and deliver the samyn College, with all the plenissing, movables, jowellis, gudis and geir, justlie belanging thairto, to Thomas Menzeis of Petfoddellis Provest of Abirdene, or ony uther honest man, to be direct be him for ressait of the samyn, upoun sufficient inventour to be maid thairupoun, to the effect that the said College, with the saidis plenissing, movables, jowellis, gudis and geir, may be suirlie preservit and kepit, ay and quhill utheris qualifiit personis of sound doctrine and sufficient literature may be placeit in the same college, within xlviii houris nixt eftir the said Maister Alexander Andirsoun, Maister Andro Galloway, Maister Andro Andirsoun, and Maister Duncane Nory, be chargeit thairto, under the pane of rebellioun and putting of thame to the horne; the quhilkis xlviii houris being bipast and thai dissobeyand, to denunce the dissobeyaris oure Soverane

Lordis rebellis, and put thame to the horne, and to escheit and inbring all his [? their] movabill gudis to his Majesteis use for thair contemptioun.

Apud Edinburgh, xxiiii Augusti, anno, etc. lxviii.[1]

Caution for Blacater.

The quhilk day, Williame Ra cuttiller and Archibald Skeldin, burgessis of Edinburgh, ar becum souerteis, conjunctlie and severalie, that Patrick Blacater sall enter and compeir personalie befoir my Lord Regentis Grace and Lordis of Secreit Counsale, quhen he or thai salbe requirit, on sex dayis warning, to underly sic ordour and directioun as salbe imput to him under the pane of ane thowsand pundis; and the said Patrick obleist him to releve; in respect of quhilk souertie now fund, the said Patrik askit instrumentis that the first souerteis fund be him in Striveling, upoun the day of Julii last bipast ar relevit. Sic subscribitur. Williame Ra. Archibald Skelding. Patrik Blacater, with my hand.[2]

Apud Sanctandrois, quinto Maii, anno, etc. lxix.

Lawborrowis for Scrymgeour.

The quhilk day, James Scrymgeour of Glaswell become souertie and lawborrowis for Johnne Scrymgeour his sone and apperand air, Walter Chalmer sone and apperand air to Alexander Chalmer portioner of Petty, Johnne Sym in Torburn,—that Johnne Durvard at the mylne of Glasgwell salbe harmeles and skaythles of thame, and all that thai may let in tyme cuming bot as law will, but fraude or gyle; that is to say, the said Johnne Scrymgeour under the pane of v^{c} markis, the said Walter under the pane of iii^{c} markis, and the said Johnne Sym under the pane of fourty pundis; eftir the forme and tennour of our Soverane Lordis lettres, at command and in presens of my Lord Regent; becaus the saidis personis wer at the horne.

Apud Elgin, quinto Junii, anno, etc. lxix^{o}.

Caution for M^{c}Yntosche.

The quhilk day, my Lord Regentis Grace become actit and promittit as cautionar for Lauchlane M^{c}Yntosche of Dunnauchtane, that the said Lauchlane sall entir George Monro of Dawacharty, Andro Monro and Johnne Monro his sonnis, presentlie to the peciabill possessioun of the landis and stedingis of Cullard and Conege, under crop as it is, and sall deliver to thame the males and uther geir quhilk he intromettit with at his entre with the saidis landis; and that he be himself, nor his kin freindis and partakaris, sall nocht molest nor troubill the saidis George Andro and Johnne, in thair possessionis of the saidis landis in tyme cuming utherwayis than law will; and in caise he do in the contrair, my Lord Regentis Grace becumis dettour to the saidis personis for thair skayth that thai sal happin to sustene in the defalt of the said Lauchlane or ony of his.

[1] See as to this entry and its misplacement, above, p. 639.

[2] Apud Edinburgh, xv Octobris 1570; deleit be a warrand of the Erll of Levinax, Lord Regent of Scotland.

And forder, the saidis partiis sall cheis freindis to commoun on the proffeittis of the saidis landis of the last yeris crop, as alsua upoun the geir he intromettit with pertening to thame; providing gif the saidis freindis aggreis nocht, it salbe lefull to the saidis George, Andro, and Johnne to persew the said Lauchlane as accordis of the law; and the said Lauchlane actit and obleist him to releif my said Lord Regentis Grace of the premissis.

Apud Abirdene, octavo die mensis Julii, anno, etc. lxix°.

Sederunt. Jacobus Dominus Regens. Jacobus Comes de Mortoun. Joannes Comes de Atholl. Patricius Dominus Lindesay. Magister de Marscheall. Commendatarius Dunfermling. Commendatarius Balmerynoch. Thesaurarius. Clericus Registri. Clericus Justiciarie.

For bigging of Elgin kirk.

Forsamekill, as my Lord Regentis Grace, ane reverend Fader in God Patrik Bischop of Murray, the Chantour, Thesaurare, and diverse utheris Channonis of the cathedrall Kirk of Murray, willing to repair the samyn, hes condiscendit to satisfie, content and pay ane ressonabill contributioun, for mending theking and reparaling of the Cathedral Kirk of Murray, to the effect that the same may be a convenient place to convene the people for hering of the Word of God; and considdering that thai frelie and liberallie hes condiscendit to this lovabill werk, tending to the commoun weill, the furthsetting of Goddis glorie and decoratioun of the cuntre, it is ressonabill that the Prelattis, Channonis, and beneficit men within the diocie of Murray contribute with thame that hes ellis willinglie offerit contributioun; swa that the support of mony concurring togidder, the burding may be the mair tollerabill to the haill. Quhairfoir, and to the effect that the weill willing may be rememberit, and the obstinat constrenit to thair dewitie, my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, ordanis lettres to be direct, chargeing Walter Abbott of Kinloss, Pryour or Yconomus of Pluscardin, the Dene, utheris Channonis, Personis, Vicaris, and utheris beneficit men within the boundis of the said diocie of Murray, that thai and ilkane of thame, within the space of xv dayis nixt eftir the charge, be thame selffis or thair sufficient procuratour in thair name, pas to the toun of Elgin to Maister Hew Cragy Persoun of Innerkething, appointit maister of the said werk and ressaver of the said contributioun, and thair enter in roll, and nominat quhat speciall and certane sowme that thai will gif to the help and support of the said werk, according to the rait and quantitie of thair benefices, and as utheris hes grantit unto of the lyke qualitie; and in caise of thair failye heirin, with power to the said reverend Fader, with sa mony of the Channonis of the said Cathedrall Kirk as sal happin to be present with him, the saidis xv dayis being bipast, to taxt, set and imput ane ressonabill contributioun upoun everie persoun failyeand, quhilk thai salbe na les detbund to pay nor gif thai had grantit the samyn thame selffis; and the

saidis sowmes being anis appointit,—owther be thair awin consentis, or in caise of thair failye, be the said reverend Faderis and Channonis present with him taxatioun and modificatioun,—that than thai charge thame to mak payment of the saidis sowmes to the said Maister Hew Cragy, ressaver and maister of werk foirsaid, at sic termis as salbe appointit be the said reverend Fader and Channonis, and as the werk sall proceid and pas furthwart, under the pane of rebellioun and putting of thame to the horne; and gif thai failye thairin, the termis of payment being bipast, to denunce thame rebellis and put thame to the horne, and to escheit, etc.

Moreis of Campheir.

Anent the complaint maid to my Lord Regentis Grace and Lordis of Secreit Counsale be Robert Moreis burges of the Campheir, makand mentioun, that quhair Johnne Erll of Sutherland the tyme of his exyle and banisement in the partis of Flanderis, in his greit neid the said Robert furneist to him diverse marchandice gudis and sowmis of money, quhairof he wald thankfullie haif maid the said Robert payment gif it had plesit God to continew his lyff; and to that effect, eftir his hame cuming within this realme, compt and reknyng being made betuix him and Andro Bak burges of Abirdene in name of the said Robert, the said Erll wes restand awand to the said Robert de claro the sowme of twelf scoir ten pundis, and subscrivit ane compt and writting thairupoun, quhilk he directit to George Gordoun of Correchne his chalmerlane, commandand him to mak the said Robert payment of the said sowme, and the samyn sould be thankfullie allowit to him; quha ressavit the said compt and the said umquhile Erllis precept and acceptit the said det upoun him, and hes maid the said Robert payment of the sowme of sevin scoir fyve pundis aucht schillingis, and ressavit ane acquittance thairupoun. And albeit the said Robert hes twa sindry tymes cumit within this realme belevand to haif gottin payment of the said sowme, and this last tyme hes remanit thairin be the space of xi monethis; the said George hes maid him na payment of the said sowme, quhairthrow he being ane stranger be that occasioun and wanting of utheris dettis in this cuntre, is put fra all trade of marchandice, and he uttirlie wrakkit without support be providit to him. The said Robert comperand personalie, and the said George Gordoun of Correchne Baillie, and Johnne Stewart of Bonty officiar, of the lordschip of Obyne comperand alsua personalie, and confessand and produceand the precept charge and commandiment of the said umquhile Erll of Sutherland; as alsua that thair wes mair restand in the tenentis handis nor wald pay the said Robert Moreis the det awand to him. In respect he is a strangear and of his lang troubill awayting in this cuntre during the troublous tyme bipast quhairin our Soverane Lordis authoritie wes nocht dewlie reverencit nor obeyit; thairfoir my Lord Regentis Grace, with avise of the saidis Lordis of Secreit Counsale, ordanis lettres to be direct to charge the said George Gordoun Baillie and the said Johnne Stewart officiar, to content and pay, and thankfullie deliver to the said Robert Moreis the said sowme of fyve scoir restand awand de claro of the said sowme of

xii^{xx} ten pundis, within xv dayis nixt eftir thai be chargeit thairto, under the pane of rebellioun and putting of thame to the horne; and gif thai failye thairin, the saidis xv dayis being bipast, to denunce thame rebellis and put thame to the horne, and to escheit, etc.

Anent the complaint maid to my Lord Regentis Grace and Lordis of Secreit Counsale be Robert Moreis strangear, burges in the Campheir, makand mentioun, that quhair Maister Johnne Chene being student in Lovenne, and destitute of furnissing and finance for setting furth of his neidfull adois, come to the town of Campheir, and thair meaning his necessitie, ressavit fra the said Robert in borrowing upoun his obligatioun the sowme of sex pundis five schillingis Flemis money, lyke as in his obligatioun subscrivit with his awin hand at mair lenth is contenit. Nochttheles the said Maistir Johnne on na wayis will mak payment of the said sowme, albeit his day of payment be of lang tyme bipast. And anent the charge gevin to the said Maister Johnne Chene personalie apprehendit, to compeir befoir my Lord Regent and Lordis of Secreit Counsale this day, to answer to the said complaint; the said Robert Moreis comperand personalie, and the said Maister Johnne Chene being oftymes callit and nocht comperand, my Lord Regentis Grace, with avise of the saidis Lordis, eftir inspectioun and considderatioun of the said Maister Johnnes obligatioun, having regaird to his unthankfulnes and wilfull absence and contumacy, ordanis lettres to be direct, chargeing the said Maister Johnne Chene, to content and pay the said sowme of sex pundis fyve schillingis Flemis money to the said Robert Moreis within sex dayis nixt eftir he be chargeit thairto, under the pane of rebellioun and putting of thame to the horne; and gif he failyeis thairin, the saidis sex dayis being bipast, to denunce him rebel and put him to the horne, and to escheit, etc. Moreis of Campheir. Chene.

Anent the complaint presentit to my Lord Regentis Grace and Lordis of Secreit Counsall be Alexander Fraser youngar of Firlorth, makand mentioun, that quhair he is callit and chargeit to find souertie be lettres rasit at the instance of the kin and freindis of umquhile George Bruce in the Newtown of Monblary, that he sall compeir and underly the law in the Tolbuyth of Edinburgh at ane certane day, for allegeit art and part of the slauchter of the said umquhile George; albeit, as God knowis, he is innocent. And in respect of the greit trouble quhilk it will bring bayth to the partiis and assyisse gif thai be constrenit to travell to Edinburgh, thairfoir desyrit ane particular day to be appointit within the said burgh of Abirdene. Bayth the partiis comperand personalie, eftir sum triall and inquisitioun takin of the state of the actioun, my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, upoun certane just and ressonabill caussis and considerationis moving thame, ordanis the Justice Clerk and his deputtis to let the saidis lettres and effect thairof, desert and presentlie dischargeis the samyn and all executioun thairof, swa that nowther the said David nor his cautionaris salbe callit or unlawit for non. Fraser of Fillorth. Bruce.

productioun thairof; nor yit the said Alexander Fraser and his complices callit, accusit, or in ony wayis persewit be vertew of the saidis lettres, without prejudice of the actioun in tyme and place convenient, as the said David and utheris kin and freindis of the said umquhile George sall pleis persew.

Apud Abirdene, nono Julii, anno, etc. lxix.

Sederunt. Domini ut in die predicto.

Strauchathin. Anent the complaint maid to my Lord Regentis Grace and Lordis of Secreit Counsall be Bessy Strachauthin, the gudame of Thomas Annand, fadirles pupill; makand mentioun, that quhair the said Thomas, with consent and
Lumisden. authoritie of Maister Robert Lumisden of Clovayth, hes obtenit ane decreit befoir the Lordis of Sessioun, of lauchfull redemptioun of ane half nettis fischeing of the Pott of the Watter of Dee, liand within the Sherefdome of Abirdene, to pertene to him in fewferme and heretage, contrair Walter Abircrumby, his tutouris and curatouris; with lettres in the four formes on the said decreit, to compell the said Walter to gif ower and renunce the said fischeing in favouris of the said Thomas, quhilk the said Walter and
Lawsoun. Agnes Lawsoun his allegit tutrix differris and postponis to do; and be deid and wrang hes tane up the haill proffeittis of the said fischeing be the space of fyve yeris bipast, extending yeirlie the proffeittis thairof to four barrellis salmond. And albeit the said Maister Robert tutour foirsaid hes the said decreit and lettres past thairupoun in his handis, nevirtheles he postponis and differris to execute the samyn; swa on the said decreit followis na dew executioun; the said Thomas being uttirlie destitute of gudis and geir to leif on, and wanting freindis to support him. And anent the charge gevin to the said Maister Robert and Agnes Lawsoun to compeir personalie and answer to the said complaint, large space being grantit to thame to avyise in hoip of agrement, and the mater being walkynnit of new, and all the partiis comperand personalie. My Lord Regentis Grace, with avise of the saidis Lordis of Secreit Counsale, ordanis and commandis the said Maister Robert Lumisden, tutour foirsaid, to caus put the said decreit and lettres past at the instance of the said Thomas Annand pupill to dew executioun in all pointis without langar delay or protracting of tyme, as he will answer to God upoun the executioun of his office; and that lettres be direct heirupoun gif neid be in forme as efferis; and as for the arreistment and utheris claussis contenit in the said complaint, ordanis to seik and persew the samyn befoir the jugeis competent quhatsumevir.

Philp. Abbot Kinloss. Anent the complaint maid to my Lord Regentis Grace and Lordis of Secreit Counsall, be Johnne Philp, ane minister of Crystis Kirk, makand men-
Abbot Kinloss. tioun; that quhair Walter Abbot of Kinloss, will nocht let him haif his pensioun of the said place, nochtwithstanding he wes ane of thame that thair remanit in tyme of papistre and rage of the antechrist, and fra tyme it plesit the Almichtie to brydill and musall up the mouth of Sathan, the

said Johnne left the said place and enterit in the Lordis wyneyaird, planting the Gospell of trewth according to the smal talent gevin unto him; sen quhilk tyme, it semyng gude to God to cast his pouer Kirk under the croce of povertie be withdrawing the stipendis appointit for the ministeris fra thame in the yeir of God $j^{m}v^{c}lxv$ yeirs, the said Johnne enterit in societie with the said Abbot and techit the Evangell to his people of Strathylay and Kinloss, at his chargeis, till sum provisioun wes maid for the sustentatioun of the ministerie; and than he wes appointit agane be The Kirk to certane kirkis, quhair he now travellis according to his charge; desyring that the said Abbot may be causit mak him payment of his yeirlie pensioun for thir ten yeris bipast and for the tyme to cum, according to the commoun practik of the realme concerning sic as hes bene Cloisteraris in Abbayis and siclyke places. And anent the charge gevin to the said abbot, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsale, to answer to the said complaint; bayth the partiis comperand personalie, thair ressonis and allegationis being hard and understand to the saidis Lordis, and thai ryplie avysit thairwith. My Lord Regentis Grace, with avise of the saidis Lordis of Secreit Counsale, decernis and ordanis the said Walter Abbot of Kinloss to content and pay to the said Johnne Philp his monkis portioun of the said abbay, according as he hes bene in use to pay to the remanent of the conventuall brethir sumtyme professit thairin; and that lettres be direct heirupoun in dew forme as efferis.

The quhilk day, anent the supplicatioun presentit to my Lord Regentis Grace and Lordis of Secreit Counsale be David Fraser suddart, makand mentioun; that quhair the said David tuke ane presonar at the Bank of Fair, callit Thomas Duncane, and brocht him to Auld Abirdene, quhair Johnne Wyntoun induellar thairin become souertie to the said David for his ransoun, quhilk wes the soum of four pundis money, twa sarkis of lynning, and ane pair of plaidis of the said Davidis awin that he lent to the said presonar about him; for the quhilk the said Johnne Wyntoun become souertie, and enterit the said David in part of payment thairof be delivering to him xx ß.; nevirtheles, the said Johnne refuissis to mak the said David payment of the rest without he be compellit. And anent the charge gevin to the said Johnne Wyntoun, to answer to the said complaint; bayth the partiis comperand personalie, the said David referrit the haill pointis of the said complaint to the said Johnne Wyntonis ayth, quha maid fayth that he na wayis become souertie as is allegeit; and thairfoir the said Johnne Wyntoun is absolvit fra the pointis of the said complaint. Fraser. Wyntoun.

The quhilk day, anent the complaint maid be Gilbert Blak in Braidmyre aganis James Gordoun of Haddo, anent the delivering to the said Gilbert of the Sheref Principall of Abirdenis precept execute upoun certane rebellis and at the horne. Bayth the partiis comperand personalie, my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, ordanis the said James Gordoun of Haddo to deliver the said precept of horning to the Blak. Gordoun of Haddo.

said Gilbert Blak, betuix, and Mononday, nixtocum at nycht the xi day of Julii instant; and lettres to be direct heirupoun, gif neid be, in forme as efferis.

Band to entir Thorlishoip.

We, Sir Andro Ker of Hirsell knycht, Gilbert Ker of Prymsideloch, and Andro Ker of Fawdounsyde, be the tennour heirof, bindis and obleissis us, our airis, executouris, and assignayis, conjunctlie and severalie, to ane michtie Prince James Erll of Murray Lord Abirnethie, Regent to our Soverane Lord, his realme and liegis, to entir Robert Ellot alias callit Hob of Thorlishoip to ane of the Baillies of Edinburgh, at quhat tyme we or ony of us salbe requirit be the said nobill Prince thairto, upoun xv dayis warning, under the pane of iiii^{m} markis; and for the mair securitie ar content and consentis this our obligatioun be insert in the bukis of Secreit Counsale, and haif the strenth of ane decreit of the Lordis thairof; with executoriallis and executioun to follow thairupoun in forme as efferis. In witnes quhairof, we have subscrivit thir presentis with our handis as followis, at Halyden, the tent day of Julii the yeir of God j^{m}v^{c}lxix yeris. Sic subscribitur. Andro Ker of Litilden. Gilbert Ker of Primsydeloch. Andro Ker of Fawdounsyde.

Apud Abirdene, xi Julii, anno, etc. lxix^{o}.

Sederunt. Domini ut in die predicto.

Abirnethy.

Anent the supplicatioun presentit to my Lord Regentis Grace and Lordis of Secreit Counsale be Maister Johnne Abirnethie of Balcorse, makand mentioun; that quhair upoun the xxvi day of Marche last bipast, Johnne

Maister Forbes.

Maister of Forbes and Patrik Gordoun sone to George Gordoun of Tulloquheddy, with thair complices, to the nowmer of xii personis, bodin in feir of weir, come to his place of Balcorse, lap ower the wallis thairof, enterit thairin—he being furth of the samyn for the tyme—brak up durris and kistis, and sercheit and socht him for his bodelie harme and slauchter, without ony cryme or offence done be him to the said Maister in word or deid, bot on verie malice, becaus the said Maister Johnne wald nocht assist the Erll of Huntlie in his interpryisis aganis our said Soverane Lordis authoritie; lyke as the said Johnne Maister of Forbes, Patrik Gordoun, and Alexander Leyth of Troupe, with thair complices for that same caus, upoun the xxviii day of the same moneth of Marche, come to the landis of Fintra pertening to the said Maister Johnne Abirnethyis wyff in lyverent, and thair held ane pretendit court upoun the puyr tenentis thairof, for remaning at hame fra the raid and army maid be the said Erll of Huntlie in the moneth of last bipast within the sherefdome of Kincardin, and thair decernit ilkane of thame to pay ten pundis, and for payment thairof apprysit thair cornis, and ressavit fra ilk ane of thame the sowme of thre pundis, and yit hes thame under danger of the rest; and als at that same tyme chargeit thame to obey him in all tyme cuming, and be reddy and present with him at all oistis and armeis to be maid thaireftir, and nane

utheris, under the pane of deid; committand heirthrow nocht onelie usurpatioun of our Soverane Lordis authoritie, bot als hame suckin and manifest oppressioun upoun his Hienes trew liegis, gevand evill exempill to utheris to do the lyke gif this be sufferit to remane unpuneist. And anent the charge gevin to the said Johnne Maister of Forbes, and Patrik Gordoun, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsale to answer to the said complaint; bayth the partiis comperand this day personalie, thair ressonis and assignationis hard, understand and considderit.—My Lord Regentis Grace, with avise of the saidis Lordis of Secreit Counsale, ordanis lettres to be direct chargeing the said Johnne Maister of Forbes to rander and deliver agane to the saidis tenentis the poindis and money takin and ressavit fra thame, be him and utheris in his name, for the caus abonespecifiit, within ten dayis nixt eftir he be chargeit thairto, under the pane of rebellioun and putting of thame to the horne; and gif he failyeis thairin, the said tent day being bipast, to denunce him rebell and put him to the horne, and to escheit and inbring all his movabill gudis to our Soverane Lordis use for his contemptioun; and als to charge the said Johnne Maister of Forbes to desist and ceise fra all molestatioun or troubling of the saidis tenentis in tyme cuming utherwyis than be ordour of law and justice under the pane foirsaid; and siclyke, to command and charge the tenentis and occupiaris of the saidis landis to reddelie answer, intend, serve and obey the personis of quhome thai hald thair landis, and quhilkis hes presentlie the titill thairof in the Kingis service, and all uther publict service and to nane utheris, under all hieast pane charge injurie and offence, that thai and ilk ane of thame may commit and inrin aganis our Soverane Lordis authoritie; with certificatioun to thame and thai do in the contrair, thay salbe callit, usit and persewit as dissobedient and rebellious subjectis and puneist for the same with all regour, in exempill of utheris.

Discharge to Abirdene.

At Abirdene the xii day of Julii the yeir of God j^{m}v^{c}lxix yeris, my Lord Regentis Grace commandit and ordanit the lettre and discharge following, subscrivit with his hand, to be insert and registrat in the bukis of Secreit Counsale ad perpetuam rei memoriam, of the quhilk the tennour followis:—We havand consideratioun of the procedingis of the burgessis and inhabitantis of the burgh of Abirdene, anent the assisting, contributioun, and stent making in tyme bipast, with George Erll of Huntly, and his complices partakaris, contrair our Soverane Lordis authoritie, understanding the samyn done be feir and compulsioun, thair gude mynd and will beand to the trew service of our Soverane. Thairfoir we, with avise of the Lordis of Secreit Counsale, dischargeis for evir all actioun and cryme that ony wayis may be imput to the burgessis of the said burgh, and indwellaris in the samyn, and all our Soveranis officiaris present and to cum, of all proceding contrair thame twicheing the premissis; alwayis at thir presentis extend nocht nor comprehend the burgessis and indwellaris of the same burgh that hes acceptit componitur for the samyn crymes, nor

yit the personis that ar summond or to be summond for fals cunye at ony tyme; and thir presentis to be insert in the bukis of Secreit Counsall in forme of Act, with extensioun necessar. Subscrivit with our hand at Abirdene the xii day of Julii the yeir of God j^{m}v^{c}lxix yeris.

Apud Dunde, xx Julii, anno, etc. lxix.

Greif. Anent the complaint maid to my Lord Regentis Grace and Lordis of Secreit Counsall, be Mathow Greif, Redar at the kirk of Moneky, makand mentioun; that quhair he is lauchfullie providit of auld in and to the vicarage pensionarie of the samyn, with the gleib and manse thairof, and hes bene in possessioun of the samyn thir diverse yeris bipast, and siclyke hes obtenit laitlie our Soverane Lordis gift, with avise of his Hienes Regent, of the haill vicarage of Moneky, with the manse and gleib of the samyn extending to an aker of land as now Redar thairat, conforme to the Act of Parliament;[1] and hes likewyis broukit the same continewalie sensyne, but ony impediment, quhill laitlie that Maister Johnne Guthre of Petmowies, allegeand him to haif rycht to the said manse as ane part of his propir heretage, hes directit his precept and thairwith causit warne the said Matho to flit and remove thairfra at the feist of Witsonday the yeir of God j^{m}v^{c}lxviii yeris, and hes callit and persewit thame thairfoir befoir our Sheref of Forfair and his deputtis; and swa dalie and continewalie molestis and troublis him thairintill; and anent the charge gevin to the said Maister Johnne Guthre to compeir and answer to the said complaint. Bayth the partiis comperand personalie, of thair awin motive willis, submittit all questioun, clame and controversy standing betuix thame for the caus foirsaid, to the jugement and decreit of Thomas Mauld of Panmure and Gilbert Auchinlek of that Ilk, conjunctlie, quhilkis sall visite the ground betuix and the first day of August nix to cum, and thaireftir pronunce thair decreit and jugement thairin befoir the last day of the said moneth of August; and quhatevir the saidis Thomas and Gilbert conjunctlie decernis, decretis and pronunceis in the saidis materis, bayth the saidis partiis sall abyde, underly and fulfill the samyn, but appellatioun, reclamatioun or contradictioun quhatsumevir.

Guthre.

Memorandum: this lettre following wes prevelie purchest of my Lord Regentis Grace, quhairof the tennour followis: Alexander Hay, ye sall remit Johnne Philpis mater aganis the Abbot of Kinloss to the Sessioun as jugeis ordinair thairto, for swa the Counsale thinkis gude. Subscrivit with our hand at Abirdene the xi day of Julii 1569, etc.; and the mater being menit of new at Dunde the said xx day of Julii, his Grace ordanis the decreit gevin aganis the Abbot of Kinloss to be suspendit, ungevin furth, quhill the complenar satisfie the Kirk and report the Superintendentis testimoniall thairupoun.

[1] Perhaps the Act or Acts of December 1567, of which fragments only have been preserved. Act Parl. Scot., iii. 37.

The quhilk day, Patrik Wod of Bonytoun become souertie for Thomas Guthre of Kynblawchmont, that he sall na wyis mak convocatioun of oure Soverane Lordis liegis, or troubill Alexander Quhitlaw be way of deid, under the pane of v^c ℔. toties quoties. Caution for Kynblawchmont.

Apud Dunde, xxi Julii, anno, etc., lxix°.

Sederunt. Jacobus Dominus Regens. Jacobus Comes de Mortonn. Patricius Dominus Lindesay. Patricius Dominus Gray. Joannes Dominus Glammis. Joannes Dominus Innermeyth. Commendatarius Dunfermling. Commendatarius Balmerynoch. Thesaurarius. Clericus Registri. Clericus Justiciarie.

The quhilk day, in presence of my Lord Regentis Grace and Lordis of Secreit Counsale, Patrik Lord Gray presentit Johnne Gray his stewart, according to the command gevin to him and his promeise maid upoun the xx day of Julii instant; and the said Johnne being inquirit upoun the deforcement of Sir David Lindesay of Rethulet knycht Lyoun King of Armes, committit upoun the fyft day of Julii instant be Thomas Gregory, Henry Knycht and utheris, in name of the said Johnne Gray as thai allege, in stopping of the said Lyoun King of Armes, to entir Henry Lovell brother and procuratour to John Lovell of Ballumby his fischearis, nettis, servandis and cobillis in his name, to his possessioun of the fischeing of the sey and wattir of Tay, callit Inchebin, Dumgarisheid, Stanneris, and Carfaw, liand foranent his landis of Monyfuthie, Instingleyis and Eglismonethe, as at mair lenth is contenit in the saidis lettres and executioun thairof past and execute in the said mater. The said Johnne Gray grantit and confessit him to be takkisman of the said fischeing, and allegeit that his tak wes in Edinburgh, in reddines to be produceit befoir the Lordis of Counsale and Sessioun for his defence in the actioun of removing intentit aganis him be the said Johnne Lovell. And forder, the said Johnne Gray being inquirit of quhome he had the said tak, confessit he had the samyn of Henry Lovell of Ballumby. Quhairfoir my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, ordanis the said Johnne Gray to present his said tak befoir his Grace and Lordis of Secreit Counsale foirsaidis, at Perth or quhair it sall happin thame to be for the tyme, upoun the xxvii day of Julii instant, to be sene and considerit gif upoun the occasioun of the same the executioun of the decreit obtenit be the said Johnne Lovell aucht to be stayit and delayit or nocht; with certificatioun gif the said Johnne Gray failyeis, my Lord Regentis Grace, in respect of the diverse complaintis upoun deforcementis allegit alreddy committit, will se the said decreit put in executioun nochtwithstanding the said allegeit tak without forder delay. Gray. Lovell.

The quhilk day, anent the complaint presentit to my Lord Regentis Grace and Lordis of Secreit Counsall be Maister Gilbert Gordin, minister of Monyfuth; makand mentioun, that quhair the Kirk hes assignit to him Minister of Monyfuith.

the manse and gleib of the said kirk of Monyfuith in part of payment of his stipend for administratioun thairat; quhairupoun he obtenit lettres in the four formes, for compelling of the tenentis, to answer and obey him of the samyn, and be vertew thairof, hes chargeit the saidis tenentis thairwith in anno, etc. lxv, under diverse panis contenit thairintill. And in

Ballumby. the menetyme Henry Lovell of Ballumby, with his complices to the nowmer of xxx personis or thairby, maisterfullie and violentlie and perforce ejectit the tenentis thairfra, kest doun the houssis thairof, and cuttit and distroyit the grene treis growand thairupoun,—quha hes continewalie sensyne laubourit and manurit the samyn, and withhaldin the proffeittis thairof fra the said Maister Gilbert continewalie sen the lxv yeir; and will nocht suffer nor permit him entir thairto, conforme to his gift and lettres foirsaidis past thairupoun without my Lord Regent put remeid to the samyn. And anent the charge gevin to the said Henry Lovell, to compeir befoir my Lord Regentis Grace and Lordis of Secreit Counsall foirsaidis, to answer to the said complaint; bayth the partiis comperand personalie; ordanit the Lard of Dune, superintendent of Angus, to heir bayth the partiis, and gif it wer possibill to agre thame, or utherwayis report the mater agane to his Grace. The said Superintendent having ernistlie travellit for concord and yit nocht finding the said Henry conformabill thairunto reportit the same to his Grace, quha thaireftir hering bayth the partiis, with thair richtis, ressonis and allegationis; decernis and ordanis the said Henry Lovell of his awin gude will and consent, to desist and ceise fra all farder occupatioun of the said manse and gleib or intromissioun thairwith, bot to suffer the same be peciabillie occupiit and possessit be the minister of the said kirk in tyme cuming; and that lettres be direct heirupoun, gif neid be, in forme as efferis.

Apud Dunde, xxii Julii, anno, etc. lxix.

Caution for Ballumby. The quhilk day, in presence of my Lord Regentis Grace and Lordis of Secreit Counsall, Johnne Luvell youngar of Ballumby, become souertie for Henry Luvell of Ballumby his fader, that the said Henry nor nane that he may lett, sall molest troubill or persew, James Luvell burges of Dunde, or Williame Forester his gude sone, in bodiis or gudis, be force or way of deid, under the pane of twa thowsand markis, quhilk my Lord Regent and Lordis foirsaidis decernit to pertene to the saidis James and Williame, or thair airis in caise of the said Henryis failye.

Glendye. Anent the supplicatioun presentit be Williame Glendy, makand mentioun; that quhair he obtenit ane decreit befoir my Lordis of our Counsale and

Erll of Craufurd. Sessioun aganis David Erll of Craufurd, and lettres in the four formes thairupoun, chargeing him to entir the said Williame to the landis of Drumclone set be the said Erll to him for the space of xxi yeris nixt eftir the feist of Witsonday, the yeir of God j^{m}v^{c}lxviii yeris, as the tak maid thairupoun, decreit gevin be the saidis Lordis, and lettres foirsaidis quhairupoun the samyn procedit, at mair lenth proportis; for non fulfilling quhairof, the said Erll wes ordourlie denunceit our Soverane Lordis

rebell and put to the horne in the monethe of Marche the yeir of God j^{m}v^{c}lxviii yeris last bipast, quhairat he hes remanit lyke as he dois yit continewallie sensyne unrelaxt. Quhairfoir the said Williame menit him to my Lord Regentis Grace and Lordis of Secreit Counsale of befoir at thair last being in Sanctandrois be his bill of complaint; quhairupoun answer wes to superceid quhill his Graces cuming to this toun of Dunde, and than ordour sould be tane thairin as appertenit. And anent the charge gevin to the said Erll to compeir befoir my Lord Regent and Lordis of Secreit Counsall this day, to answer to this complaint; bayth the partiis comperand personalie, thair ressonis and allegationis being hard and understand be my Lord Regent and Lordis foirsaidis, and thai ryplie avysit thairwith. My Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, decernis and ordanis the said David Erll of Craufurd to content and satisfie the said Williame Glendy betuix and the morne at evin, be making him payment or securitie, as thai can best aggre, of xii^{xx}xv markis as for the principall, with fourty pundis for expenssis and skayth sustenit be wanting of his money thir twa yeris bigane; utherwayis his Grace will se the decreit and lettres past aganis the said Lord be obeyit in all pointis.

Apud Dunde, vicesimo quinto Julii, anno, etc. lxix°.

Weddirburne.

The quhilk day, in presence of the Lordis of Secreit Counsale underwrittin, viz.: Adame Bischop of Orknay, Robert Commendatare of Dunfermling, Johnne Commendatare of Balmerynoch Maister of Requeistis to our Soverane Lord, Sir Johnne Bellenden of Auchnowle knycht Justice Clerk, Sir Johnne Wischert of Pittarro knycht; and als in presence of the Provest, Baillies, and ane part of the Counsall of the burgh of Dunde. Comperit James Weddirburne sone and air of umquhile David Weddirburne burges of Dunde on that ane part, and Williame Weddirburne his brother, sone lauchfull alsua of the said umquhile David and Margaret Rollok his spous on that uther part; and in humill maner and reverence submittit thame selffis, to the lawde sentence and decreit arbitrall of my Lord Regentis Grace, present, anent the sowme of ane thowsand markis acclamit be the said Williame fra the said James, as sone and air to his said umquhile fader, conforme to certane instrumentis producit be the said Williame, quhairin the said David confessit him to be restand awand to the said William the foirsaid sowme and oblissing of payment thairof; and als anent all and sindry utheris actionis caussis, querrellis, contraversiis and debaittis, that ather of the saidis partiis hes to say or propone aganis utheris in ony tyme bigane befoir the dait heirof. My Lord Regentis Grace, acceptand upoun him instantlie the decisioun of the saidis debettabill actionis, being avysit and consultit with the saidis Lordis of Secreit Counsale, and als with the saidis Provest, Baillies and Counsale of the burgh of Dunde, quha best knew the meritis of the saidis actionis; decernis, decretis and deliveris in amicabill maner, that the said James Weddirburne sall content and pay to the said Williame Weddirburne and Margaret Rollok his spous and thair airis, the sowme of four hundrith markis usuale money of Scotland at the termis following: that

Weddirburne and Rollok.

is to say, twa hundrith markis thairof at the fyftene day of August nixto-cum, and the uther twa hundrith markis thairof at the feist of Yule nixt thaireftir following; and in respect that the ordinance wes maid be his Grace that the said James sould pay the sowme of fyve hundrith markis to the said Williame, knawing the said James havelie hurt in payment of the rest abonewrittin, and als havand respect to the said James faythfull service in his Graces effaris and commoun weill of the realme; his Grace hes promittit to caus the said Williame be payit of the said last hundrith markis of his Graces fre benevolence and propir money at his Graces nixt cuming to Sanctandrois; and finalie his Grace hes dischargeit and be the tennour heirof dischargeis simpliciter, all actionis, caussis, querrellis, contraversiis, writtis, and debaittis, that ather of the saidis partiis hes to say or propone aganis utheris in ony tyme bigane befoir this present dait; and decernis thame to stand on gude lufe and amytie in tyme cuming, alwayis reserving the payment of the said sowme of fyve hundrith markis to be payit to the said Williame in maner abone expremit allanerlie; upoun the quhilkis premissis the said James askit actis and instrumentis.

Na fair on Sondays.

Forsamekill as be ane Act of Parliament maid in the tyme of umquhile King James the Ferd, our Soverane Lordis grandsire of worthie memorie, it is statute and ordanit that thair be na marcat nor fairis haldin on haly dayis, nor yit within kirkis or kirkyairdis on haly dayis, or ony uther dayis, under the pane of escheting of the gudis. And albeit the same Act hes bene diverse tymes ordanit to be put to executioun and sindry proclamationis maid to that effect; nevirtheles the abuse and contempt of God and gude ordour continewis in sic sort, that albeit God of his mercy hes grantit the lycht and knawlege of his Word in this last aige, yit the malice and obstinacy of the people continewis in thair wonted disordour, and wilfullie violattis the Sabaoth day, usand the same prophanelie in marcat making and utheris wardlie effaris; as alsua prophanand and abusand the kirkis and kirkyairdis quhair the people of God aucht to convene to heir the Word of God and ressave the Sacramentis; sa that na obedience sawe to law, nor na gude ordour follow in tyme cuming gif tymous remeid be nocht providit. Thairfoir my Lord Regentis Grace, with avise of the Lordis of Secreit Counsale, ordanis lettres to be direct, to mak intimatioun and publicatioun of the said Act, yit as of befoir, be oppin proclamatioun at the marcat croces of the heid burrowis of the sherefdomes of this realme, and all utheris places neidfull to all and sindry our Soverane Lordis liegis; and to command and charge thame in his Hienes name and authoritie, that nane of thame tak upoun hand to hald marcat or fairis on Sonday, nor yit within kirkis or kirkyairdis, nowther on Sondayis nor na uther dayis, under the pane of escheting of thair gudis; and in caise thai failye thairin, ordanis the Shereffis of the schyris, Provestis and Baillies of burrowis, and officiaris of armes Sheriffis in that part, to pas and confiscat and escheit all the gudis of the personis that salbe apprehendit doand in the contrair; and inbring and deliver the samyn to our Soverane Lordis Thesaurare to be applyit to his Hienes use for thair contemptioun, according to justice.

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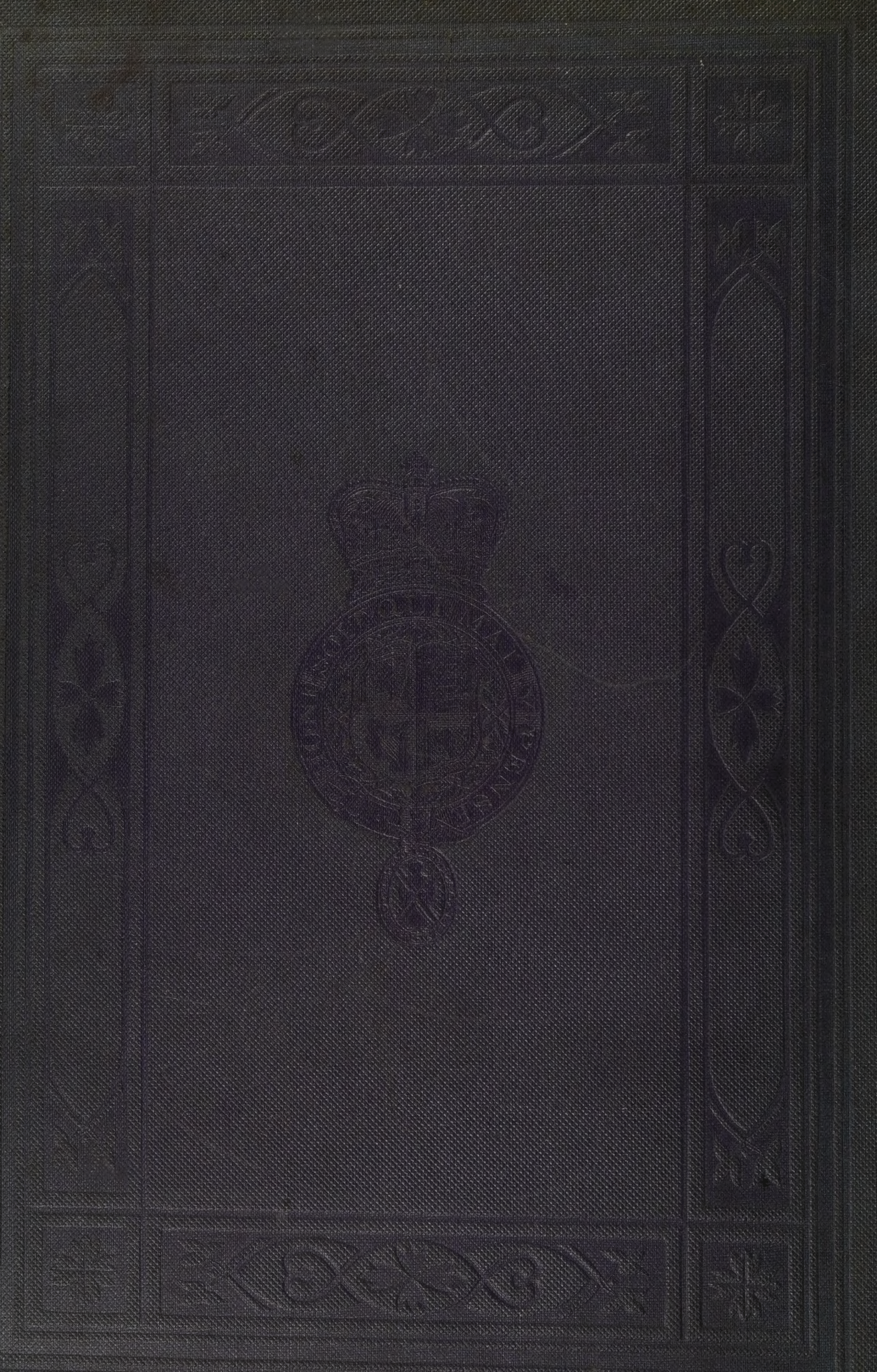
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